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BOROUGH OF HATBORO

COUNCIL MEETING

Monday, June 27, 2005

PRESENT
President Clark, Councilpersons Acker, Plunkett, Strang, and Vasoli, Treasurer McKean, Solicitor Meyer, Chief Gardner, Mayor Celano, and Borough Manager Pantano.

ABSENT
Vice President Taggart and Councilperson Zygmont.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:01 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the **minutes of the May 23, 2005 Council meeting.** PRESIDENT CLARK made a MOTION to approve the minutes. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK commended **Chief Gardner** and the **Police Department** for apprehending who they think is the perpetrator of the crimes.

PRESIDENT CLARK noted that there will be a presentation later about the award for the Borough's **newsletter**.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO announced that he received notification and the agreement for the **Warminster Road Paving Grant** which was submitted as a request to DCED through Senator Greenleaf's office. The grant is for $10,000 and since it is not reimbursable the money will be given upfront.

BOROUGH MANAGER PANTANO received and processed all of the paperwork for the $15,000 DCED grant for the **basketball courts**. The engineers have worked on the specs and the recommendation for award should be ready by the next Council meeting. The funds will be available after the work is completed and were secured through Representative Sue Cornell's office.

BOROUGH MANAGER PANTANO explained that they held off on the **CDBG paving project** because the engineers and the County need to check out the contractor before making any award recommendations. This project is for Lacey Street, Central Avenue, and Moreland Road.

BOROUGH MANAGER PANTANO mentioned that they have processed the contract agreement with Antonini Construction, in the amount of $163,882, for the **2005 general paving**. This project includes Belmar Road, Barbara Road, Crescent Road, Norwyn Road, Shirley Road, West Monument Avenue, and Broad Street. Borough Manager Pantano is in receipt of all of the bid bonds and insurance certificates and they are setting up a pre-construction meeting.

BOROUGH MANAGER PANTANO stated that he put in an application to the Army Corps of Engineers to take care of some of the materials that washed down after the last flooding. The Borough needs to be able to prove that the resulting problems were caused from that specific flooding in April.

BOROUGH MANAGER PANTANO received notification from the trash to stream plant that there are a number of items that are no longer accepted in the regular **trash**. This is the result of the new PA DEP regulations. Primarily, the items include electronics. He has been working with Upper Moreland to see how they are handling the changes. Borough Manager Pantano proposed

that these items become a part of the bulk item sale which is provided every few weeks. Operationally this will not be a problem. He will work on notifying the residents through the website, newsletter, and cable channel. COUNCILPERSON STRANG asked if there were any fines at this point. Borough Manager Pantano stated that the information he was provided with did not mention any fines. The electronics will be held, as dry as possible, in bins until a company comes to pick the items up. Furthermore, the items will be charged by the pound. COUNCILPERSON ACKER stated that he would like to see this item on the committee agenda.

BOROUGH MANAGER PANTANO stated that **Sprint** signed the Agreement so provided there is approval from Council tonight then they will be ready to move forward.

BOROUGH MANAGER PANTANO placed the approval of the **Authority bills** on tonight's agenda.

BOROUGH MANAGER PANTANO explained that Solicitor Meyer advertised the **Disorderly Practice Ordinance** for adoption at tonight's meeting.

BOROUGH MANAGER PANTANO reviewed the cost calculations for **District Court rent**. He provided the rate increase of about 3% to the County.

BOROUGH MANAGER PANTANO attended the PSAB Awards luncheon. The Borough of Hatboro was presented with the first place **2004 Newsletter Award**. He thanked Viki Connolly for her efforts in putting the newsletter together as well as everyone who contributed to the articles that were put in.

PRIVILEGE OF THE FLOOR

Bill Tompkins, Spring Avenue, wanted to discuss the **Disorderly Practices Ordinance**. He read from the proposed ordinance. He is concerned about how vague the idea of "discomfort" is. PRESIDENT CLARK stated that Council decided that they are going to take another look at the proposed ordinance and discuss it at the July committee meeting instead of passing it at tonight's meeting.

Bruce Hart, Earl Lane, asked how much the items will cost to be removed now that they are not accepted in the regular **trash** and asked if it would need to be brought to Borough Hall. COUNCILPERSON ACKER explained that there is still a lot of discussion required and since this is new, they still have to look into many of these items. This was only mentioned to make the public aware.

Ed Moll, Academy Road, asked if the recent articles in the paper about a Class Action Lawsuit against Berkheimer had any impact on the Borough's decision about the **Berkheimer Resolution** proposed for approval. COUNCILPERSON STRANG stated that they are not related because Berkheimer is being used to go after the delinquent earned income taxes in the Borough. PRESIDENT CLARK explained that the Resolution is in response to the State law. Bill Tompkins, Spring Avenue, stated that the reason that they are asking for this resolution is because they are getting hit with the class action suit with the Borough's that have not passed it. Councilperson Strang reiterated that this is being required from Harrisburg. Mr. Moll explained that he is concerned that this will allow the Borough to be brought into the lawsuit as well. SOLICITOR MEYER explained that Governor Rendell signed House Bill 1535, now known as Act 192. This was passed on November 30, 2004 in conjunction with the collection of delinquent taxes levied under Act 511. This takes effect on January 30, 2005. This Act requires the municipality to oversee their tax collector to make sure that the costs that they assess are reasonable. Council has a list of the charges being imposed upon delinquent tax payers. If they impose them incorrectly or improperly then they would be subject to the law. Berkheimer has been charging these fees for years. The current contract goes back to 2002 and it renews itself annually.

John Demcisak, 225 East Monument Avenue, mentioned that he lives around the corner from **Stoveworks**. He asked if Council was considering a rezoning for this parcel. As he understands it

this residential project cannot be done because residences are not allowed in that area. COUNCILPERSON VASOLI explained that there is consideration by the Applicant for a Zoning Ordinance amendment. As the Applicant has submitted, they do not meet the zoning requirements. Mr. Demcisak asked if they applied to rezone this parcel or more than this parcel. Councilperson Vasoli stated that they are still working with the Applicant on the details of the proposal. Mr. Demcisak stated that this would be spot-zoning and asked if the Applicant has asked to rezone a larger area than just this tract. Councilperson Vasoli explained that the ordinance would apply to more than just that parcel. Mr. Demcisak asked how much. He also asked what the ordinance asked for. He mentioned that it is important for the public to know just how large the area is that they are discussing. This item will be discussed during the Zoning portion of the agenda.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 05/31/05 the balances invested in Commerce Bank totaled $7,132,576.57. Interest credited for the month was $19,445.79. Average yield for April was 3.27%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **warrant list** and the **manual check list**. COUNCILPERSON VASOLI made a MOTION to approve payment of the bills. This motion was SECONDED by COUNCILPERSON STRANG and was APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO had nothing to report at this time.

SOLICITOR'S REPORT

SOLICITOR MEYER advertised for adoption of the amendment to **Chapter 15** regulating parking meter rates and duration of parking time permitted.

SOLICITOR MEYER drafted the Stormwater System Access Easement and Walking Train Access Easement for **Cobblestone Court**. He also reviewed the condominium documents.

SOLICITOR MEYER prepared correspondence regarding developer's and escrow agreement for **M&S Centerless Grinding** land development plans.

SOLICITOR MEYER spoke with the attorney for Growth Horizons Group Home, **29 Summit Avenue**, and he indicated that they will be filing for special exception.

SOLICITOR MEYER advertised for adoption of an ordinance regarding **disorderly conduct**.

SOLICITOR MEYER prepared preliminary proposed findings of fact and conclusions of law regarding **400 North York Road**, Schieber Curative Amendment.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER received a letter from **Aqua Pennsylvania** stating that they are requiring buildings in the area to install backflow devices and the police station is one of the buildings included. He has been obtaining quotes from authorized service providers to have one of those devices installs.

CHIEF GARDNER extended his condolences to the family and friends of **Retired Police Sergeant John Kimball** who passed away at his home in Hatboro. John worked as a police officer in Hatboro from the 60's until his retirement in the late 80's and then came back and worked for about eleven years as a dispatcher. He also served with the Enterprise Fire Company and assisted with the ambulance service as well. MAYOR CELANO also offered his condolences.

FIRE MARSHAL STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark
PRESIDENT CLARK made a MOTION to approve the payment of the bills for the Moreland Avenue Project as well as the Southern Gateway Project to be paid by the **Borough Authority**. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

Budget & Insurance – Dr. Strang
COUNCILPERSON STRANG made a MOTION to approve **Resolution 2005-06** regarding Berkheimer's collection of the delinquent Earned Income Taxes. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

Parks, Recreation, & Community Relations– Mr. Plunkett
COUNCILPERSON PLUNKETT reminded everyone that the annual **Moonlight Memories** car show is Saturday, July 30th from 5-10 p.m. He thanked the Police Department and the Public Works Department, in advance, for all of the work they do for that event.

COUNCILPERSON PLUNKETT discussed the **Pennsylvania DCNR Grant**, which is about a feasibility study for a community center in the Hatboro area. COUNCILPERSON VASOLI stated that this was discussed at the committee meeting. He talked to the Borough's planner and a representative from DCNR. The Borough will look at partnering up with other municipalities to pay for the cost of the study. The study cost is $30,000. Hopefully the grant will cover half of this expense. Councilperson Vasoli explained that they will have to decide if they will apply this year or by April, 2006.

Health & Environment – Mrs. Zygmont
There was nothing to report at this time.

Public Safety – Mr. Taggart
COUNCILPERSON VASOLI stated that due to subsequent information being received, the **Disorderly Practices Ordinance** will be tabled until the committee meeting in July.

Public Works & Public Properties – Mr. Acker
COUNCILPERSON ACKER made a MOTION to award the **2005 CDBG Paving Contract** to Gorecon, Inc. for $118,337. This motion was SECONDED by COUNCILPERSON STRANG and was APPROVED by Council unanimously.

COUNCILPERSON ACKER made a MOTION to approve **Ordinance 959** regarding the Parking Meters. This will establish the new rate of $0.25 per hour and all meters will have a two-hour limit. This motion was SECONDED by COUNCILPERSON STRANG and was APPROVED by Council unanimously.

COUNCILPERSON ACKER made a MOTION to approve the **Sprint Site Agreement and Contract**. This will be erected behind the police station and the rent rate will start at $2,000 per month. This motion was SECONCED by COUNCILPERSON VASOLI and was APPROVED by Council unanimously.

Zoning, Development & Historical Preservation – Mr. Vasoli
COUNCILPERSON VASOLI updated everyone on the **Elm Street Plan**. The Borough received about $275,000 in grant funds from the State. $25,000 of that is planning funds. The Borough is required to have a planner for this project therefore an RFP (Request for Proposal) was put out.

COUNCILPERSON VASOLI mentioned that the owner of the property at **400 North York Road** has submitted a curative amendment. There were a number of hearings on this and it relates to flood plain line. At the last committee meeting, Solicitor Meyer was asked to draw up the findings of facts and give his approval to the curative amendment. Councilperson Vasoli made a MOTION to approve Solicitor Meyer's order as well as finding of facts and conclusion, which is denying the application. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

OLD BUSINESS

PRESIDENT CLARK stated that a letter went out today to Joe Brock and the **Teamsters Union** indicating the last and best offer that the Borough will negotiate with Teamsters at this point. The employees will be notified of this last and best offer tomorrow and there are copies of this information available to the public at the conclusion of tonight's meeting.

NEW BUSINESS

David Morgan, property owner of **59 South York Road**, showed maps to Council. He stated that there is a pressing problem in the parking lot. Now Mr. Greer has been forced into dividing the parking lot, to protect his private property. He mentioned that there is a storm drain that he previously spoke to Council about. There was a problem with it between Joe Morgan's place and Gamburgs, which has been fixed. Mr. Morgan added that the Borough previously said they did not want to fix it but they did acknowledge their responsibility for this specific storm drain, which he showed pictures of. The Borough did repair the sunken storm drain by digging it up, filling it up, and bracing the grates. Mr. Morgan explained that the drain is sunken again therefore it is blocked off with posts. From the official approved parking plan there are eight parking spaces (which he showed pictures of) that do not exist. They are within the path that you have to drive to get through the parking lot and sue to the sinking storm drain you cannot drive through where you are supposed to. Mr. Morgan feels that the amount of parking is less than that in the plan as there should be forty-four spaces but about thirty-two exist. If the spaces were fixed then the lines could be painted on. COUNCILPERSON VASOLI suggested that Borough Manager Pantano, Zoning Officer Heller, Solicitor Meyer, and perhaps the Borough Engineers look into this issue. Mr. Morgan explained that this is an immediate problem.

PRIVILEGE OF THE FLOOR

John Demcisak asked what area the proposed zoning is going to cover (regarding **Stoveworks**). COUNCILPERSON VASOLI stated that although he does not have a zoning map with him, it would be the industrial district. Mr. Demcisak asked if it was then proposed to create residences in the entire N-2. Councilperson Vasoli stated that it would meet the criteria in the zoning ordinance. Mr. Demcisak stated that the proposal of the ordinance by the developer is to rezone the industrial district to allow for residential uses under certain conditions. Councilperson Vasoli stated that it's not rezoning but it allows for a certain use. He added that Mr. Demcisak previously referred to "spot zoning" and explained that the classic spot zoning is making an island of an industrial area in the middle of a residential area. He added that the developer is considering the use for entire applicable industrial district, not just in N-2. Mr. Demcisak stated that he would like to see a copy of this ordinance and he thinks the town would like to as well. Councilperson Vasoli stated that he would get him a copy. Mr. Demcisak stated that if Council is considering that kind of comprehensive rezoning then he feels there should be a traffic study by the Council and not the developer as well as input from the citizens and the school district. He added that he reads the newspaper each day and has not seen anything in there about the complete rezoning of the industrial district in N-2 for residential use. Councilperson Vasoli stated that the applicant has been very forthright and has presented at several meetings already. Mr. Demcisak asked if the school district saw a copy of the proposed ordinance. Councilperson Vasoli said no but the applicant is doing a feasibility study and he will send them a copy. Mr. Demcisak asked if there would be meetings about this proposed zoning change over the summer. Councilperson Vasoli said that he did not believe that it would be concluded over the summer. Mr. Demcisak asked if Council received a Phase 1 and Phase 2 Study. SOLICITOR MEYER stated that they received a limited Phase 1 and a limited Environmental Study but they don't have a Phase 1 as most would

understand it nor do they have a Phase 2 for that property. Mr. Demcisak stated that the property has to be polluted, as well as the ground and he understands that the property has a substantial amount of asbestos. He then asked if Council has received an asbestos study. Councilperson Vasoli explained that the applicant mentioned asbestos on the grounds but they have not received an Asbestos Study. Maryann Reymer stated that she has two reports that state that they have asbestos and lead. Mr. Demcisak asked if a preliminary plan for the land development has been submitted to the Borough. There was discussion on this issue. Mr. Demcisak asked if there were plans to review this over the summer, if the Borough received a Traffic Study and if the Borough was going to require a traffic Study. Councilperson Vasoli explained that there are no current plans for a summer meeting about this and there was discussion on the Traffic Study. Mr. Demcisak said that it is a historical mess there and he does not want to see an entire rezoning there. He asked if the developer would receive a break on the local real estate taxes. Councilperson Vasoli explained that the applicants have talked about Tax Increment Financing. There was no formal proposal but they would probably propose that after the fiscal analysis is done. Mr. Demcisak stated that anyone that would develop that property would do so for money and he doesn't feel that the Borough needs to give them a real estate tax break because it's currently very static and they don't need to give up real estate tax money over the next seven or eight years.

Mr. Demcisak asked how far along the project is for renovating **Borough Hall**. PRESIDENT CLARK stated that it is no where at this point. There is written proposal but they have not taken any action whatsoever. Mr. Demcisak stated that he personally does not have any problems with repairs to the exterior of the building but would like to know what is detailed for the interior. He asked what the proposed costs are for the project. BOROUGH MANAGER PANTANO stated that the architects are working within a limited budget. Furthermore the interior renovations are all nonstructural, instead they are reorganizing the office space and moving nonsupport walls. This way they will utilize the space better. The architects did an analysis of the space and made a recommendation based on the work that was done in the office. There are several sketch plans proposed. Mr. Demcisak asked how much money was allocated for the entire project. Borough Manager Pantano said it was $1.1 million and the majority of that is for exterior work. Mr. Demcisak requested that the plans be made public. Borough Manager Pantano explained that there are already copies of it out to the public as far as he knows. Mr. Demcisak asked if any of the proposed changes are purely aesthetic. Borough Manager Pantano stated that the intent for the Council chambers is to get it more along the lines of the historic nature that the building once had. Mr. Demcisak stated that he saw the building when it was an unoccupied school building and it wasn't pretty.

Lou Polaneczky, Spring Avenue, stated that the **Southern Gateway Project** was approved during the meeting and he previously asked about access for vehicles or public works to Miller Meadow if there was a berm. BOROUGH MANAGER PANTANO explained that there will be a presentation to the public at the next committee meeting. He added that the highest part of the berm is 3 ½ feet. It gently slopes up to the sign. It does not interfere with the access to Miller Meadow in any way. The berm will not take away from the look of the meadow, rather it will enhance the appearance. Mr. Polaneczky asked if they were doing anything with the sidewalk as a part of the project. Borough Manager Pantano said no. John Demcisak asked what the berm would do. Borough Manager Pantano explained that is it a landscaping berm that will make it aesthetically more pleasing with plantings and a Borough sign. Ed Moll asked if the berm was to hide the uncut meadow. Borough Manager Pantano repeated that it will not take away from the look of the meadow. The goal was an attractive gateway entrance to the Borough and this is the design that the landscaping architects came up with. Ed Moll stated that the meadow would be more attractive if it was cut every few months. COUNCILPERSON ACKER stated that his comment was a matter of opinion.

Bill Tompkins stated that $70,200 was passed in November for the architect for the **Loller building design**. PRESIDENT CLARK said yes it was for the design but nothing about the interior of the building.

Bill Tompkins stated that the developer (**Stoveworks**) stated that they would need zoning relief but he has not heard Council discuss an overlay during a public meeting. COUNCILPERSON VASOLI stated that the Applicant talked about changing the zoning ordinance to allow projects such as this in the Borough. Therefore to allow this to happen the zoning ordinance would have to cover more than just this parcel. He reminded everyone that the Applicant first provided the concept, then the sketch, and then the land development application. Mr. Tompkins would also like for the Borough to get involved in the traffic study since he knows the developer is talking about 175 units and his estimate of zero school aged children is a little biased.

Bill Tompkins stated that the **April minutes** are not on the web. BOROUGH MANAGER PANTANO stated that they will be going on.

Bill Tompkins asked if the Borough separately approves the costs of the grant preparation by the Borough engineer for the **Southern Gateway Treatment**. He also knows that the design is usually included and asked if the Borough approves them and/or discloses separate figures. BOROUGH MANAGER PANTANO stated that there was a report completed a few weeks ago because Councilperson Zygmont was asking the same question. She was provided with the report at the time and Mr. Tompkins is also welcome to the report. It turned out that the cost of the grants was less than 1% of the projects that they secured funding for. Therefore it was a very good return for the amount of work put into it. The work on grants, however, typically comes out of the regular budget for the engineers and the Borough has been well within budget for a number of years now.

Bill Tompkins stated that now that Council has submitted to the union for **Public Works** their last and best offer and asked if Council could get together a rough estimate of the fees that this has cost the Borough to date. BOROUGH MANAGER PANTANO stated that Mr. Tompkins could check the monthly reports because they should have a running total of the legal fees.

Nancy Barr, Wood Street, stated that she was there with her neighbor last month about the **trees**. She added that President Clark was out and indicated to her neighbor that the trees are the Borough's responsibility. Now the trees have berries on them and they are falling on her husband's truck. She wants to know when the Borough is going to take care of the tree and added that Borough Manager has not come out to look at the trees. BOROUGH MANAGER PANTANO stated that he was out twice since then and wrote up a report. COUNCILPERSON ACKER stated that his understand is that a number of years ago the Borough went in and trimmed the branches of trees hanging out over Wood Street because they were interfering with the trash truck going up and down the street. BOROUGH MANAGER PANTANO stated that Butch Thomas told him that he has not had a problem taking the trash truck on Wood Street. Another resident stated that the foliage is becoming impassible. Councilperson Acker explained that they are not the Borough's trees. The resident said they are the Borough's trees and she would obtain written testimony from previous property owners to prove that. Borough Manager Pantano stated that the Borough does not own any property in that area. Mrs. Bart asked why then does the Borough come out and clean all of the leaves and trim back the trees when she calls Mr. Stauch. Borough Manager Pantano stated that Superintendent Stauch indicated to him that he has not done that unless there was an issue with the trash truck. Mrs. Bart said that is not true. SUPERINTENDENT STAUCH stated that the leaves are cleaned up because of the drain. The resident explained that they had Mr. Heller out and he showed them how to measure to show that that part belongs to the Borough. Borough Manager Pantano explained that he doesn't know what they were shown how to measure but it is clear in the ordinance that the Borough does not have any property there and the shade trees are the responsibility of the owner as well as any shade trees in the right of way are the responsibility of the abutting owner. Councilperson Acker recommended that the residents come in to look the tax maps with the Borough Manager. Mrs. Bart explained that these are the trees along the creek bed which is dried up. Additionally they have lived in the house for twenty two years and they have never cut the trees because the Borough has always cut them. Mr. Demcisak stated that looking at just the tax parcel may not give the complete picture. If there is a subdivision plan then they should look at that because it sounds to him as a classic unopened street situation. He added that in that situation, if the homeowner doesn't have the right to do anything then only the

Borough can cut the trees back. The resident stated that she has been there since 1964 and Mr. Stauch has always taken it and mowed it and everything else. She mentioned that she will get certified documents that show that this is Borough property. Mrs. Barr stated that she is not asking anything unreasonable just to take care of a Borough responsibility. Councilperson Acker recommended that Mrs. Barr give her name and contact information to Borough Manager Pantano. Mrs. Barr asked if she could give it to someone else because she thinks that Mr. Pantano screens his calls and does not return phone calls. Borough Manager Pantano said that he called her back and left a message. President Clark said to give the contact information to Council.

Maryann Reymer, 129 Summit Avenue, asked if when talking about **Elm Street**, if the Applicant for is also the owner and if he purchased the property outright. COUNCILPERSON VASOLI stated that the Applicant is apparently the equitable owner, which means that certain conditions must occur before he is the owner of the property. SOLICITOR MEYER stated that it's under agreement of sale with conditions. Ms. Reymer asked if there was a settlement date scheduled. Councilperson Vasoli heard that it might be in August but that has not been confirmed. Ms. Reymer asked if all of the conditions that Mr. Demcisak brought up would be resolved prior to the sale of the property. Councilperson Vasoli explained that it would be between the seller and the buyer and the Borough cannot get in between. Mr. Demcisak asked if they got a copy of that along with the application to show that they can apply. ZONING OFFICER HELLER stated that they have permission from the current owner stated that the proposed owner can file on his behalf. Ms. Reymer stated that the disclosure of the superfund site and the contaminates was made aware to both the buyer and the seller. Zoning Officer Heller said yes and they will have inspections. He also has reports on the contaminates and the Borough Engineers will review it along with the traffic study that the applicant bears the brunt of the expense to do the research on the traffic. We can study anything that we are unsure in the traffic study as well as the contamination studies. Ms. Reymer asked if any of this would impede the sale of the property. Zoning Officer Heller stated that the Borough does not have, nor are they entitled to, the conditions of the sale. Mr. Tompkins asked how soon before the next meeting does the Applicant have to notify Council that he would like to be on the agenda. Councilperson Vasoli stated that he has more than a month before final approval. Mr. Demcisak asked if there are time constraints right now. Zoning Officer Heller stated that there is no time stage for the sketch plans. Councilperson Vasoli stated that the Applicant signed a form, since the project was so large, authorizing the Borough to have an extension. Mr. Demcisak asked if the preliminary plan was filed. Zoning Officer Heller stated that he does not have anything official from them. They asked that they be taken off the agenda. Mr. Tompkins stated that in February it was only a sketch plan.

Joe Brock, **Teamsters Local 830**, noted that it was now three and a half years since the last raise for the Public Works' Employees. He told President Clark that at the beginning of the year he made a commitment to resolve this issue and since then it has been nothing but broken contract negotiation appointments and more negotiation frustrations. He stated that he will not comment on the last and best offer that President Clark mentioned until he sees it but mentioned that the last, last and best offer included the right of the Borough to fire the employees literally the day they ratified the contract. Therefore if the last and best offer includes doubling their wages then it doesn't mean much if they are fired the day they ratify their contract. He added that if that clause is in there then it will meet the fate of the last, last and best offer. Additionally, Mr. Brock stated that the last, last and best offer eliminated the retiree medical benefits which he thinks is disgraceful. He noted that the chairperson of the Public Works committee, Mr. Acker, has never bothered to attend one session nor comment on it. He also noted that Mr. Plunkett and Mr. Taggart own businesses and presumably have employees. COUNCILPERSON ACKER stated that he is not a part of the negotiating committee. Council selects committees to negotiate each contract and they are the only representatives who attend the negotiations. Mr. Brock stated that President Clark gave a copy of the last and best offer to the press and he asked if the press was also provided with the "smoking gun video" used to illegally fire Brent Sine. PRESIDENT CLARK stated that it is a separate issue. Mr. Brock stated that he would take that response as a no. Then said since the attorney was here he would like to know at least a ballpark figure for attorney fees to negotiate this contract. He knows that it must be over $100,000. He asked if it reached $250,000 yet or

$300,000. Mr. Brock then stated that they have been working for free for three years. President Clark stated that the Public Works' employees do get checks and they do not work for free. Mr. Brock stated that he has been working for the Public Works' employees, who would gladly cut the lady's tree, for free because they believe that they deserve a fair wage increase. He again asked how much the attorney was charging the taxpayers for his services. President Clark stated that he had no idea. Mr. Brock stated that it is a disgrace that he doesn't know and that this Council has been a failure. He added that they will remember in November. President Clark stated that he sat on Council for a number of years before the Teamsters came and became certified to represent the fine public works' employees. They worked very hard and had a great relationship. He thinks the Public Works' employees, who have been here for a number of years, would say that they were always treated very fairly. He wonders, since December the Teamsters have come to meetings and made their case and done what they are supposed to do, if the Public Works' employees themselves really believe that they are better off now that they are served by Teamsters as their bargaining unit. Mr. Brock stated that he appreciates his perspective and added that the employees always have the right to change their bargaining units and so far they have not made that decision. Norm Hawkes, 125 Loller Road, asked for a ballpark (figure). President Clark explained to Mr. Hawkes that he has been around long enough to know that he will not pull a figure out of the air. Mr. Tompkins asked when the figures would be available. President Clark stated that they will be available on July 11th at the committee meeting. A representative from Teamsters Local 830 stated that he was told earlier in the meeting that there is a running total and asked for it. SUPERINTENDENT STAUCH gave him a copy of the warrant list.

Ms. Reymer stated that she knows that the **police contract** expires at the end of December. She asked if negotiations have started and how they are going. PRESIDENT CLARK said they have started and are fine. Ms. Reymer asked how many sessions they have met with them. President Clark said twice.

ADJOURNMENT and EXECUTIVE SESSION

PRESIDENT CLARK then adjourned the June Council meeting. He stated that there would be no executive session held.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
Telephone 675-1454 HATBORO, PA 19040 Fax 675-2286

PUBLIC WORKS MONTHLY REPORT

Month of: May 2005

	Month	Year to Date
Loads of Trash	36	176
Tons of Trash	286.72	1,281.84
Tons of Glass and Cans	13.36	68.45
Street Opening Permits	0	3
Street Opening Fees Collected	0	$300
Sidewalk/Curb Permits	8	18
Sidewalk/Curb Fees Collected	$320	$720
Large Article Pick-up Stops	62	226
Number of Large Article Picked Up	116	417
Newspaper Tonnage Collected	24.30	123.77
Grass/Leaves Tonnage Collected	21.61	53.60
Tires Recycled and Cost	0	
Refrigerators/Freezers/Microwaves	0	
Cost of above		

Remarks:

DIESEL

5-May

9-18-D	25.7	31.3	23.1	23	27.7	29.3	20.9	21.8							
11-1-D	14.5														
17-8-D	29.8														
18-9-D	32	33.4	20.6	28.5	32.6										
20-12-D															
21-13-D	5.4	3.6	31	30.1											
26-14-D															
23-15-D	40.4	43.3													
24-16-D	27.7	30.8	36.3	26.9	32.1	23.4	34.1								
25-17-D	3.2	2.5	1.4	3.7	3	2.6									
30-M-D															
43-2-D															
44-D															
TOTALS	178.7	144.9	112.4	112.2	95.4	55.3	55	21.8	0	0	0	0	0	0	[illegible]

GASOLINE

13-3-G	4	5	1.8	1.6	30.7	11.8	25.6	2.4							
10-3A-G	16.1														
15-4-G	12.4	17	33												
16-7-G	20.7														
19-11-G															
27-20-G	14.7	11.5	14.6												
28-59-G	24.6	4.3	23.2												
29-M-G															
42-24-G	17.6	23.2													
47-G															
48-G															
49-G	8	5.7	5.5	26.4	28.1	6.1									
50-G															
TOTALS	118.1	66.7	78.1	28	58.8	17.9	25.6	2.4	0	0	0	0	0	0	[illegible]

GASOLINE 395.6

$1.95 A GALLON: [illegible]

DIESEL 775.7

$1.35 A GALLON: [illegible]

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

5-May

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	5.5		4.1	6.1	7.7			
	4.4		6.1	7.4	7.5			
	8		7.9	4.6	6.3			
	6		10.6	5.3	4.3			
	6.3		5.4	18.5	6.9			
	8.3		5.7	4.9	6.4			
	4.5		10	16.5	6.4			
	8.1		6.2	3.3	6.1			
	6.8		17.9	6.4	11.3			
	5.2		7.6	8.2	5.8			
	10.6		7	3.8	10			
	15.7		3.6	5.4	6.7			
	5.4		6.7	6.5	7.7			
	10.6		10.1	4.6	4.1			
	5.7		5.8	6.7	5.1			
	10		6.6	6	8.6			
	7.1		11.8	7.5	7.5			
	4.1		6.2	7.2	18.5			
	5.9		8.2	10.4	3.6			
	4.6		9.2	5.2	5.9			
	8.3		3.9	11.5	7.4			
	7.4		5.9	7.9	6.5			
	5.4		5.3	6.4	10.1			
	4.6		9.9	9.2	3.5			
	7.4		10.6	9.2	8.4			
	6.8		8.8	6.3	14.1			
			12.1	5.7	10.7			
			10.3	7.4	5.1			
			15.8	8.7	15.1			
				3.9	12.1			
				6.3	7.1			
0	182.7	0	239.3	227	246.5	0	0	895.5

Total Gasoline 895.5

at 1.45 gal = $1,298.48

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

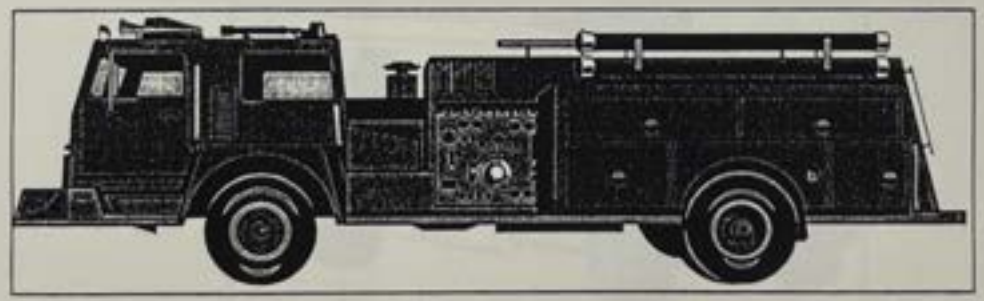
5-May

35-D	30.7														30.7
36-D	16.5	10													
37-D	31.2														31.2
45-D															
TOTAL	78.4	10	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]

[illegible]

34-G	8.7	1.4	24.8												
38-G	15.1	8.5													
39-G	12.9	12.2	14.7												
40-G															
46-G															
TOTAL	36.7	22.1	39.5	0	0	0	0	0	0	0	0	0	0	0	98.30

[illegible]



															5-May	
32-G															0	
33-G	22.8														22.8	22.8
31D	28	24.3													52.3	
30-D	15.6	19.3	19	3	17.3	15.4									89.6	141.9

TOTAL DIESEL	141.9
DIESEL @ $ 1.35AGALLON	$191.57

TOTAL GASOLINE	22.8
GASOLINE $1.45 a gallon	$33.06

NORTH BOROUGH PARKING LOT MONTH & YEAR 5-May

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
5/5/2005	13.08		DRW-2305	NISSAN			15
5/12/2005	14.12		DNG-7423	SUBARU			NOSPACE
5/18/2005	13.29		EXW-4188	HYUNDAI			NOSPACE
5/23/2005	14.06		DPW-2806	TOYOTA			NOSPACE
5/24/2005	13.45		ECJ-3592	NISSAN			73

YEAR	$600.00
MONTH	$50.00
YEAR	$650.00

BOROUGH OF HATBORO

OFFICE OF
THE FIRE MARSHAL

414 SOUTH YORK ROAD
Phone: 215- 675-1454 HATBORO, PA 19040 Fax: 215-675-2286

MONTHLY FIRE MARSHAL REPORT

Month of: May 2005

	This Month	Year to Date
Inspections	9	63
Re-inspections	0	3
Fire Investigations	3	33
Special Service	2	8
Fire Reports Issued	0	2
Permits Issued	3	6
Permit Fees Collected	$225	$300
Fire Report Fees Collected	0	$50
Inspection Fees Collected	**$300**	**$5,062**
Use and Occupancy Inspections	**2**	**17**
Use and Occupancy Re-inspections	**1**	**2**
Use and Occupancy Fees	**$600**	**$8,396**
Miscellaneous Fees Collected	**0**	**0**
Total Fees Collected	**$1,125**	**$13,8**

Remarks:

Fire Marshal Hours

	Inspt.		Invest		Special Service	
	month	to date	month	to date	month	to date
Stauch	1.40	9.55	1.10	9.10	26.00	34.45
Thomas	0.00	3.00	0.00	1.40	8.00	11.30
Reading	3.10	12.45	0.45	4.35	8.00	12.15
Totals	4.50	25.40	1.55	15.20	42.00	59.15

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, July 25, 2005

PRESENT
President Clark, Vice President Taggart, Councilpersons Acker, Plunkett, Strang, Vasoli, and Zygmont, Treasurer McKean, Solicitor Meyer, Chief Gardner, Mayor Celano, and Borough Manager Pantano.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:02 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the **minutes of the June 27, 2005 Council meeting**. COUNCILPERSON ZYGMONT asked if page five should read floodplain line instead of stormwater regulations. She also noted two typos. Councilperson Zygmont asked if the word figure should be added to the ballpark comment made by Norm Hawkes because when she read it she thought that Norm Hawkes was asking for a ballpark. PRESIDENT CLARK made a MOTION to approve the minutes. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK extended his congratulations and thanks to the Chamber of Commerce for the recent **sidewalk sale**. There were a lot of guests and residents in town. He also thanked the police and public works' staff for their help as well.

PRESIDENT CLARK noted that there was an **executive session** held regarding personnel matters.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO updated everyone on the **basketball courts**. The bid specifications are complete and they have advertised therefore a recommendation should be ready for the committee meeting in August. This is a project that grant funds have been secured for already and they will be repaving the basketball courts at Eaton Park and Tanner Park.

BOROUGH MANAGER PANTANO stated that there was a preconstruction meeting on July 6th regarding the **general paving** throughout the Borough. They met with the contractor to review the administrative requirements as well as establish a schedule. They will start either the last week of July or the first week in August and only expect to be in the Borough for about two or three weeks. COUNCILPERSON ZYGMONT asked if letters were sent to the residents yet. Borough Manager Pantano explained that the contractor is responsible for doing that and it won't occur until the contractor has a specific date for construction.

BOROUGH MANAGER PANTANO stated that the **CDBG Paving Project** was awarded at the last Council meeting. All of the paperwork is being gathered and the contract documents have been signed. They have not had the preconstruction meeting yet. This is a $118,000 project for Central Avenue, Lacey Street, and portions of Moreland Avenue.

BOROUGH MANAGER PANTANO updated everyone on the **Army Corp Grant**. They provided the Army Corp with a number of additional items to be able to evaluate the information for the grant.

BOROUGH MANAGER PANTANO stated that he was contacted by Jacob Melicon, Delaware Valley Planning Commission, regarding the **Hometown Streets and Safe Routes to School Grant**. The first meeting has been set up for July 28th to discuss program requirements, timing, and administrative details. This grant is for $800,998 and the match requirement is $156,000, however they have the match requirement almost secured through the County Revitalization

Program. They tried to tie it into the Tea-21 grant but it turns out that the Hometown Streets and Safe Routes to School is a Tea-21 to start with so you can't use money from that to match. This project covers itself regarding the match requirements. COUNCILPERSON ZYGMONT asked if this was the two-fold grant. Borough Manager Pantano stated that that grant was another revitalization grant from last year and it was turned down to purchase the Wachovia parking lot. This was a two-part application and one was turned down and the other was approved. Councilperson Zygmont asked if Council would have any input on this project before it goes forward to let them have opinions on what will be done with it. Borough Manager Pantano stated that it is up to Council and there could be a presentation similar to the Gateway Project if necessary. Councilperson Zygmont stated that she would like to have a say before it gets to that point because no one had input on the Gateway Project before they received the map that day. Borough Manager Pantano also suggested a workshop, after meeting with Mr. Melicon about the requirements and how to proceed with this project. COUNCILPERSON VASOLI recommended that the Engineers can show the sketch after the planning commission meeting. Councilperson Zygmont stated that she doesn't know the details.

BOROUGH MANAGER PANTANO was contacted by Fran Rupert, PA DCNR, who is administering the **pool grants**. He reviewed a variety of information with Mr. Rupert and he asked for Borough Manager Pantano to meet with Alex Tatanish. Before he meets with Mr. Tatanish, Borough Manager Pantano will review all of the information on the National Park Service. Borough Manager Pantano is not sure of all of the strings attached but knows that if some of the federal grant money is used then the pool has to stay a pool indefinitely, unless you give grant money back. There are a variety of contingencies attached to the money.

BOROUGH MANAGER PANTANO announced that the **Sprint contract** documents have been signed by both Sprint and the Borough. The next step will be to have Sprint go through the land development process in which they are in the midst of getting their paperwork together.

BOROUGH MANAGER PANTANO mentioned the **small dump truck replacement** at the last committee meeting. This was budgeted last year but they ran out of vehicles so it was budgeted this year. The money will be from the sinking fund and the price quote is $36,121. Councilperson Zygmont asked if it would be leased and if she could see the lease agreement. Borough Manager Pantano said it would be leased and it's the same lease agreement that has been used for all of the other leases which is why he proposed the same company. Furthermore they don't usually give the lease documents until the lease is finalized. Councilperson Zygmont mentioned that they don't know the interest rate. Borough Manager Pantano stated the price quote for the lease payment includes the interest rate.

BOROUGH MANAGER PANTANO stated that there have been some complaints from residents along Summit Avenue regarding the **drainage** and **curbing**. He went out with the engineers a few weeks ago before, during, and after a rain and determined that there were a couple of problems up there. There is no curbing along the street and although the drainage could go back and forth for where the curbs would be, the drainage is actually coming from the yards, not very much from the street. Therefore curbing may cause more problems with drainage and runoff from the roads. Additionally, since the road is narrow, without the curbs the vehicles often go slightly off of the road to get by therefore this also causes problems. They are proposing some minor widening along the street by putting some patching down by the gutter area to help promote the flow of water and widen the street. Additionally, at Penn Street there is a hump in the road that could be smoothed out to allow it to channel the water to cross the intersection thereby not collecting between Penn and Bonair. Since Antonini will be on site within a few weeks, they decided to get a quick estimate from them for this work. This should help the problems there at a minimal cost. COUNCILPERSON ACKER recommended getting the prices and then putting it on the Public Works' portion of a committee agenda. COUNCILPERSON ZYGMONT stated that it won't go to N. Penn. Borough Manager Pantano explained that it will pass N. Penn and continue down to Summit.

BOROUGH MANAGER PANTANO signed the **Penndot Winter Services Agreement** and did mentioned a 10% increase for this year amounting to about a $600 increase for the plowing and the salting.

BOROUGH MANAGER PANTANO discussed the **West Nile Mosquito Treatment**. They looked at the area on Loller Road and the people from the Montgomery County Health Department stated that the drainage along Loller Road was ok. They will be coming out again to check more areas of concern.

BOROUGH MANAGER PANTANO stated that they have completed the draft of the **zoning ordinance**. They have been working on this for most of the year and sent the draft to the engineers, Solicitor Meyer, the Zoning Hearing Board, Planning Commission and the County Planning Commission. There are also copies available at Borough Hall and the Library. This item will be placed on the August committee agenda. COUNCILPERSON ZYGMONT asked if this could be moved to September so they have a chance to read it and to allow for the people who may be on vacation to come to the meeting. COUNCILPERSON VASOLI explained that the discussion is all the more reason to start it earlier because it will allow more time for discussion. He added that he is not looking for an August adoption.

PRIVILEGE OF THE FLOOR

Bill Tompkins, Spring Avenue, asked if Council was appointing a planner now and having him come in for a presentation for the **Elm Street Planner Update**. COUNCILPERSON VASOLI stated that they haven't come up with an Elm Street Plan but there was a map that was worked on for the application. The item on the agenda is to appoint a planner to work on the plan.

Mr. Demcisak stated that it was a complete surprise to him that the **zoning code** was rewritten. He is aware that it was done by a professional planner but the last zoning code they found did not really reflect Hatboro. He suggested that everyone review it very carefully to make sure that it reflects the town. Although the format is standardized, some people that really know the town need to look at it to make sure it reflects the town. He added that Mr. Nicholson is here and that he is involved with the proposed **Stoveworks** and when he looks at the ordinance drafts from the developer to allow Stoveworks to go forward, and these issues were not even addressed in the new zoning code by the planner and the committee who looked at it. The resident explained that he has a large number of issues with the proposed zoning ordinance because it has all kinds of ramifications for the industrial district. He added that there are serious concerns out on the street about what the project will do or not do and how it will affect or adversely affect the residents. Additionally, in order to do this there is a whole revamping of the industrial district which is all of North 2 and more than ¼ of the Borough. COUNCILPERSON VASOLI welcomed all of the comments from the residents regarding the zoning code. Additionally, he explained that the applicant for Stoveworks is having a general meeting at the Enterprise Firehouse July 26th at 7:00 p.m. The resident added that none of the flyers advertising this general meeting were left on his street which is the block of East Monument Avenue, where traffic already cuts through now. BOROUGH MANAGER PANTANO explained that the Borough was not involved in establishing that schedule since the developer was taking care of it.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 06/30/05 the balances invested in Commerce Bank totaled $7,092,874.18. Interest credited for the month was $19,715.20. Average yield for June was 3.40%.

PAYMENT OF BILLS

PRESIDENT CLARK stated that Council has received copies of the **warrant list** and the **manual check list**. COUNCILPERSON ZYGMONT asked about the **Adcock** statement. BOROUGH MANAGER PANTANO explained that the chlorine pump went bad. Councilperson Zygmont asked if the invoice for **Aqua Distributors**, for the pool vacuum, was approved by Borough Manager Pantano first. Borough Manager Pantano stated that he approved for it to go out for repairs and

they repaired it before they contacted the Borough. Councilperson Zygmont stated that she was thinking that they spent $1,300 last year and almost $1,600 this year and they could have gotten a better vacuum. Borough Manager Pantano stated that according to the people at the time it was very sensitive. Councilperson Zygmont asked if there was a warranty. SUPERINTENDENT STAUCH explained that the vacuum was left in the pool house for the whole six months after the pool was closed. The pool house was under water when the area flooded. Borough Manager Pantano stated that they are obviously not keeping it there anymore. Councilperson Zygmont asked about the **Armor and Sons** invoice. CHIEF GARDNER explained that it was a repair at the police station. There was wiring underground to illuminate the front signs and it also goes into the outlet for the server for the computer. Councilperson Zygmont asked if the concession icebox was a refrigerator or freezer from **Home Depot**. Borough Manager Pantano stated that it was a freezer. VICE PRESIDENT TAGGART made a MOTION to approve payment of the bills. This motion was SECONDED by COUNCILPERSON ZYGMONT and was APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO explained that he does not understand what is happening with the **Public Works' Negotiations**. He believes that both sides should sit down, talk, and get it done.

SOLICITOR'S REPORT

SOLICITOR MEYER researched and drafted a legal opinion on the issue and draft ordinance regulation of **public conduct** in the Borough.

SOLICITOR MEYER amended the draft **Massage Parlor Ordinance**.

SOLICITOR MEYER reviewed the amended Condominium Agreement for **Cobblestone Court**. This included the easement for access to Storm Water System and the easement for access to the Walking Trail.

SOLICITOR MEYER had discussions with DEP regarding **ExxonMobil Access and Indemnity Agreement**.

SOLICITOR MEYER received a copy of a letter indicating that Growth Horizons Inc., **29 Summit Avenue**, has filed an application to the Zoning Hearing Board for special exception for a **group home**.

COUNCILPERSON ZYGMONT asked if Solicitor Meyer received a copy of the Mullin and Lonergan Associates document regarding the planning commission meeting in August. SOLICITOR MEYER stated that he received it but did not yet review it. COUNCILPERSON VASOLI stated that he also received it and he spoke to Mr. Nicholson about it. Mr. Nicholson stated that there is nothing in relation to this in regards to the **Stoveworks** for the August meeting. Councilperson Zygmont asked if his clients paid for it. Mr. Nicholson said he was not sure.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER stated that there was a **speed check** on West Moreland Avenue. Cars were timed going westbound and they issued twenty-one speeding citations between 8:00 a.m. and noon to vehicles traveling in excess of 25 mph. The vehicles cited were in fact traveling between 37 and 43 mph. The speed checks are done when personnel is available and they will continue.

CHIEF GARDNER received the event request form for **HatOberFest** which is sponsored by the Chamber of Commerce.

CHIEF GARDNER reported about the **Moonlight Memories Car Show** on July 30th. York Road will be closed around 1:00 p.m. between County Line and Byberry Road but permit some cross traffic. The area between Byberry and Summit Avenue is restricted for parking that day as well as some of the side streets which have been posted. Better detour signs will be posted as well. The

Fire Police will be helping as well. Chief Gardner explained that this event would not be possible without the assistance of the Fire Police.

CHIEF GARDNER announced that there is a water problem on East Montgomery Avenue and welcomes Carl Kyriss President of **Aqua Pennsylvania**. Mr. Kyriss stated that there was a contamination problem that was initially detected at the police station. Due to subsequent check samples, it was determined that a boiled water advisory must be issued. Approximately fifty homes in proximity to the police station were put on notice about the boiled water advisory. Mr. Kyriss explained what happened throughout this process. He stated that samples were initially taken and analyzed on Thursday with results available on Friday that showed positive for coloform bacteria. Subsequent check samples with results available on Saturday indicated a second positive and that requires the notification for the boiled water. The samples collected on Saturday all proved to be negative for coloform therefore the boiled water is a precautionary measure. The second set of check samples indicated that this was a transient problem and is now cleared. An update will be provided about whether or not to continue to boil water. He brought Rob McNamerra, Local Operations Manager, Peg Spatora, Director of Compliance Sampling, as well as Mike Morozza and Donna Olson, Public Relations and Government Affairs. He thanked Chief Gardner for his help and the help of his department. He explained that the police department has made bottled water available to local residents and they will be reimbursed for their purchases. There is also bottled water available at the Willow Grove facility. Mrs. Guenst asked if Mr. Kyriss had family living on that road and if so would he have called them to tell them about the water on Friday. She also asked why they waited so long. Mr. Kyriss said his brother lives on Penn, right around the corner and he did not call and inform him. The reason is because on Friday they had the first result that was presumed to be positive. The check samples resulted in the confirmation of the positive results. He apologized that this is how it works. Another resident asked if they know the source of the contamination. Mr. Kyriss said they do not. It is very common bacteria therefore it could have been a sample contamination or it could have been caused by something else. COUNCILPERSON ZYGMONT asked what the amounts were in the samples. Mr. Kyriss stated that it was around 30 organisms for 100 mL of water, however, any positive is presumed positive. Councilperson Zygmont stated that this is all along Montgomery Avenue and she asked if they have tested any other areas. Mr. Kyriss stated that they typically collect twenty samples in Hatboro per month. Thus far they have collected over sixty samples this month and all of those samples have been negative. Councilperson Zygmont asked if Aqua PA would provide water for the residents as well as deliver it because she doesn't understand why Aqua PA didn't provide water at the station during a heat wave. The Aqua PA representative explained that each representative placing a notice out had bottled water with them and there is more available at the Willow Grove facility. The other representative advised that the boiled water notice also tells residents where they can obtain free bottled water and it can be delivered. COUNCILPERSON VASOLI asked if they had a prediction as to when the boiled water notice would be lifted. Mr. Kyriss stated that he hoped to have it lifted by tomorrow, the 26th. Councilperson Vasoli then asked what the standard is for milk. Mr. Kyriss said it is about 100,000 per 100 mL. Mr. Tompkins asked how often this happens system wide in Philadelphia. Mr. Kyriss stated that they are using their own wells and the system is somewhat interconnected. This is an extremely infrequent occurrence. A resident explained that they were not told about this and they are within blocks of the police station. She asked if Mr. Kyriss would drink the water there. Mr. Kyriss said his answer is an unconditional yes but he realizes that others would not be expected to make the same decision. He apologized for them not being notified and will look into where the notices went out to. Another resident asked where the samples were taken from. The representative listed:

- York and Bonnet
- York and Moreland
- York and County Line
- York and Fulmor
- York and Byberry
- Warminster and County Line
- 300 block of Waminster
- 400 block of York

Mr. Demcisak stated that the decision to notify only fifty people is arbitrary. Councilperson Zygmont asked if the samples were taken based on how the lines run. Mr. Kyriss stated that Montgomery has its own main, and although they are all interconnected, the check samples in close proximity to the police station were all negative. Councilperson Zygmont asked if the County Health Department and the Sewer Authority were notified since she understands this comes from fecal material. A representative stated that they voluntarily notified DEP and the County Health Department but not the Sewer Authority. Mr. Kyriss stated that this did not come from fecal material but from e-coli, which is more common. Mrs. LaSorsa asked why the pool had a notice since it is not near the police station. An Aqua PA representative stated that they did not give any notification to the pool and they assumed it was from people who went home and saw the notice and then started talking about it. Councilperson Zygmont asked if the health department would have done it. Mr. Kyriss stated that they spoke to the health department and DEP this morning and they were comfortable with only notifying Montgomery Avenue since it was isolated to that area. COUNCILPERSON ACKER asked if they could check into the sign at the pool since the temperatures outside are so hot therefore many people would likely use the pool within the next few days. Mr. Kyriss stated that he can have the water tested at the pool as well. BOROUGH MANAGER PANTANO added that they use the well water for the pool so the pool itself would not be contaminated from the Aqua PA source. Mr. Demcisak asked how long the mains are and he believes that it would be helpful for Council to know how old the remaining mains in the borough are. Mr. Kyriss stated that he is not sure but they will be in touch with Council within the next year about some significant capital plans. A resident asked how they found out about this contamination initially. Mr. Kyriss stated that there was a random sample taken from the police station. The resident then asked how significant of an issue this is if ingested. Mr. Kyriss stated that if the levels were very high then it could have an impact on immuno-compromised individuals. Mr. Tompkins asked what the possible causes of this might be and if they would continue testing. Mr. Kyriss stated that this most commonly occurs from someone back-pumping water or pressure washing a system. A resident stated that when they began the discussion they thought that it might have been a sampling quirk because if there was an actual contamination then the numbers might be higher. Mr. Kyriss said yes and he still feels that way they would also expect it to be considerably more widespread. Additionally, finding the cause will be challenging. This was a precaution. A resident asked if it was common practice to attend a council meeting about this. Mr. Kyriss stated that they contacted Chief Gardner and he apprised Aqua PA of the meeting. The standard procedures are to contact the police chief and the health department for any emergencies. Councilperson Zygmont added that Chief Gardner made her aware of this. Chief Gardner reminded everyone that there is water available at the police station. Mr. Kyriss apologized for all of the inconveniences that have occurred.

FIRE MARSHAL STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH submitted a report in advance.

COUNCILPERSON ZYGMONT asked if they were able to get the **streetlights** working. BOROUGH MANAGER PANTANO explained that the lights north of Byberry they were able to get working but the ones south were out again. SUPERINTENDENT STAUCH stated that PECO is still trying to get the plans to help out. SOLICITOR MEYER called the day before he went away and he is waiting for a return call.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark

PRESIDENT CLARK made a MOTION to approve the payment of the bills for the Moreland Avenue Project as well as the Southern Gateway Project to be paid by the **Borough Authority**. This motion was SECONDED by VICE PRESIDENT TAGGART and was APPROVED by Council unanimously.

Budget & Insurance – Dr. Strang

COUNCILPERSON STRANG stated that he had nothing to report at this time.

Parks, Recreation, & Community Relations– Mr. Plunkett
COUNCILPERSON PLUNKETT reminded everyone that the annual **Moonlight Memories** car show this Saturday, July 30th from 5-10 p.m. He thanked all of those who work so hard to make this a success.

Health & Environment – Mrs. Zygmont
COUNCILPERSON ZYGMONT asked if Councilperson Acker has found out any information regarding the **ticks** at Miller Meadow. COUNCILPERSON ACKER stated that he has looked into it and is awaiting return calls.

Public Safety – Mr. Taggart
VICE PRESIDENT TAGGART stated that he had nothing to report at this time.

Public Works & Public Properties – Mr. Acker
COUNCILPERSON ACKER made a MOTION to participate in the York Road and County Line Road **signal replacement**. This is an upgrade of the four intersections. The total cost will be approximately $15,850 out of $120,000 design cost and was recommended by the Borough Engineers. COUNCILPERSON ZYGMONT asked if this would be computerized and if there would be a special computer and/or programming needed. BOROUGH ENGINEER DOUGHERTY stated that they will be computerized and there is special programming which would likely go on a separate computer. BOROUGH MANAGER PANTANO explained that if the Borough goes forward with the York Road project then that type of equipment will be required. Borough Manager Pantano stated that the LED lights will be a better rate than those of regular bulbs. This motion was SECONDED by COUNCILPERSON STRANG and was APPROVED by Council unanimously.

Zoning, Development & Historical Preservation – Mr. Vasoli
COUNCILPERSON VASOLI announced that the next Zoning Hearing Board meeting is on Wednesday, July 27th at 7:00 p.m.

COUNCILPERSON VASOLI made a MOTION to grant conditional approval for the **Play and Learn zoning application** which will go into the old karate building near WaWa. There are four conditions:

- The Applicant must require parents to physically walk children into the establishment due to traffic concerns
- In lieu of landscaping along the back, the Applicant shall plant flowers along the front tree bed and have a hanging basket there (York Road) and maintain such flowers/plants
- The class size should be limited to thirty-five
- If the Applicant constructs a shed then it shall be made out of wood

COUNCILPERSON ZYGMONT asked why it would be made out of wood and if carpenter ants would be a problem. Councilperson Vasoli stated that it is near residential buildings and the wood should be treated. This motion was SECONDED by VICE PRESIDENT TAGGART and was APPROVED by Council unanimously.

COUNCILPERSON VASOLI made a MOTION to grant conditional approval for the **Omni Group zoning application**. He added that they already demolished part of the building in the back for parking yet they still need a variance for parking. They are going to keep the parking area stone but the handicapped space will be paved. There are three conditions:

- In lieu of landscaping along the back, the Applicant shall plant flowers along the front tree bed and have a hanging basket there (York Road) and maintain such flowers/plants
- The required handicapped space shall be paved to the door
- The façade shall be completed as submitted in the plans

This motion was SECONDED by VICE PRESIDENT TAGGART and was APPROVED by Council unanimously.

COUNCILPERSON VASOLI made a MOTION to grant conditional approval for the **Spa Escapes zoning application**. This is located across in the middle of the parking lot across from the Old Mill Inn. The house is an island in a parking lot therefore the Applicant has requested a use variance to use it as a salon. The conditions are:

- Landscaping as required by the Borough Engineer
- Any freestanding sign shall be no further than ten-feet from the building and that it be made of wood material

This motion was SECONDED by VICE PRESIDENT TAGGART and was APPROVED by Council unanimously.

COUNCILPERSON VASOLI made a MOTION to approve **Ordinance 960** regarding **Massage Parlors**. The establishments must close prior to 10:00 p.m. and there is an annual license fee. This motion was SECONDED by VICE PRESIDENT TAGGART and was APPROVED by Council unanimously.

COUNCILPERSON VASOLI made a MOTION to approve URDC as the **Elm Street Planner** to make the Elm Street Plan, with the Borough's total cost not to exceed $2,500. The total budgeted amount is $27,500. There is a proposal submitted to URDC for $24,800. COUNCILPERSON ZYGMONT asked how many people are on the Elm Street Executive Board. Councilperson Vasoli said about six or seven. Councilperson Zygmont stated that there were three applicants for this position and asked if there was a presentation from at least two of them. Councilperson Vasoli explained that there were three proposals received and they discussed at the Executive Board if they wanted to go with a presentation from each proposal. They only saw a presentation from the one selected. Additionally this was discussed at the committee meeting. Councilperson Zygmont asked if there is a complete draft of the by-laws about how the Elm Street Board is going to work and function. Councilperson Vasoli stated that it was not adopted yet but it would only be used as a reference point very much like the by-laws of the Main Street organization. Councilperson Zygmont stated that she thinks that Elm Street could be a good thing but she does not want to vote on a planner because she would like more information. This motion was SECONDED by COUNCILPERSON STRANG. With a vote of 6-1 having Councilperson Zygmont voting no, this motion was APPROVED.

PRIVILEGE OF THE FLOOR

Bill Tompkins, Spring Avenue, stated that there was some discussion about the sunshine law to appoint the **Elm Street Board** or to discuss **Elm Street**. COUNCILPERSON VASOLI stated there was a memorandum on that and that he explained it. Additionally, that will be attached to the minutes (available at Borough Hall).

Bill Tompkins asked about the general direction of the **Safe Roads to School Project**. He knows about the paver replacements along York Road but what concerns him is that they will pave the sidewalks near the schools if there is the money leftover to do it. He feels that this should be a priority. COUNCILPERSON VASOLI stated that they are trying to slow the traffic down on York Road. He added that some of this plan includes stamped crosswalks and having black traffic light poles and standards. After meeting with the regional planning director, the sketch plan will be very helpful. Bill Tompkins suggested looking into what they would need to get rid of in order to get sidewalks by the schools.

Bill Tompkins stated that he appreciated getting the figures for what the **labor attorney** has made over the last year and a half but he asked if the Borough is paying the labor attorney to attend this meeting. PRESIDENT CLARK said no.

Resident of 20 Summit Avenue asked about the non-dedicated road also known as **Independence Road**. This runs between Summit and Monument. There are about fifty to sixty cars and there is standing water as well as no one paying attention to the Do Not Enter signs. He showed some photographs to Council. The resident asked who owns the road. COUNCILPERSON ACKER stated that this has come up before. SOLICITOR MEYER stated that he will look into it. The

resident stated that if one side is blocked off then the traffic won't get from Summit to Monument. SUPERINTENDENT STAUCH stated that they did that one time and they also put the chain up but they were asked to take it down because people have gates in the back. The resident stated that the people in the apartment building think it is a private driveway. Mr. Demcisak stated that they would like a memo from Solicitor Meyer but the practical matter is that it is a mess and he questions what the homeowners would like the Borough to do. He suggested having a meeting with the homeowners to see if there is a unanimous decision.

Mr. Demcisak stated that he does not object to the **Play and Learn Center**. He feels that it is a traffic zoo there and asked if Council is satisfied that these children can not be brought in through a back entrance. The real problem is going in and out of the entrance because of safety. COUNCILPERSON ACKER stated that it was brought up but they would like to keep the entrance where it is. COUNCILPERSON VASOLI explained that the Applicant cannot physically go through the back, as it is, and does not have easements to do so. Mr. Demcisak asked if the strip center property in the back adjoined the church property. Councilperson Acker said no. A resident stated that it seems like the Borough has Play and Learn in a very good position to make an access road in the back. PRESIDENT CLARK explained that this was discussed at prior meetings. Councilperson Vasoli stated that the karate school probably had more people in and out throughout the entire day.

Maryann Reymer, 120 Summit, asked Council and Chief Gardner to consider **restricting parking on Summit** on both sides during the car show. Ms. Reymer stated that she would ideally like it from York Road to Bonair. CHIEF GARDNER stated that the same rules would apply to the residents on Summit as well. SUPERINTENDENT STAUCH stated that signs can be put up on the street. Chief Gardner stated that he does not have an issue with this request.

Joe Brock, **Teamsters** Local 830, thanked Mayor Celano for his comments. He added that his words are often good, common sense values. He wanted to explain why sitting down and getting it done seems so easy when both sides are willing to get it done. One reason is that employees who give their life to the Borough, after working twenty-five years, are entitled to a break on continued healthcare benefits. They have to pay 50% and the Borough picks up 50%. He added that the Borough wants to eliminate their retiree medical coverage in their final offer. Mr. Brock mentioned that the Borough would like to eliminate the unfettered right to contract out all of their work. He explained that in other words, when they sign the contract they could, although they say they won't, subcontract all of their work and fire them. Additionally they put a provision in the contract so that whatever they agree to they can just break their word. Mr. Brock stated that the real reason that they cannot get it done is because the Borough has stopped coming to negotiating sessions. They have skipped six of the last eight sessions. Mr. Brock stated that this is a violation of labor laws which is something they care little about because they have been convicted of violating labor laws several times already. He stated that everyone heard the money that is being spent on attorney fees and there is more that people don't even see because the union has agreed to concessions on healthcare, which includes unrealized savings. If the Borough included other Borough employees then this could save the Borough up to $60,000 per year. Mr. Brock stated that whatever numbers they "cooked up" did not include all of the years they have been negotiating. He feels that the money spent on legal fees is all to break the union of ten fulltime employees including the guy they fired.

SOLICITOR RUDOLF explained that Mr. Brock made several mistakes of facts. First of all there has been one unfair labor practice charge in which they made a determination. In that charge the union argued that the pay increases for new employees was improperly denied, that longevity pay increases had to be increased, and the Borough started the downtown beautification program of having plants hanging up and down Main Street. For the first year it was watered by the Public Works' employees. The second year there were volunteers to do it for free, at no cost to the Borough requiring no paid Borough time. Therefore the third instance in the unfair labor charge was taking away Borough work because there were volunteers watering the flowers. The Labor Board said that the only one the union wins on is taking away the watering of the plants. That is

the purpose of the management rights language proposed by the Borough which has been reviewed on numerous occasions. With respect to the Borough having limited work and giving it away, the flip side of that is the union is insisting on guaranteed employment regardless of whether the taxpayers could have the work performed less expensively or for free. Somehow, however, because the Borough, simply because the employees have chosen a union, must guarantee work regardless of what the work costs or what opportunities exist. There is enormous pressures in the economy to keep prices down and work more cheaply and more efficiently. Solicitor Rudolf stated that the union would like all of the work to be completed by the employees in the Borough and it can never be shifted to someone who could provide the service less expensively. That is an obligation to which the Borough simply cannot agree. Mr. Brock stated that it is not true. Solicitor Rudolf stated that it is all true and he can give copies of the decisions from the Labor Board. With respect to no enforcement of the labor contract, he explained that every version that was discussed had a binding grievance and arbitration clause to be resolved by an Arbitrator subject to review by the Court. With respect to a break on the healthcare, one of the things that the union insists upon is retiree healthcare. He bets that one in twenty of the citizens have guaranteed private retiree healthcare. In the private sector it is simply not available. In terms of no movement by the Borough, the only concessions made by the union was the agreement to switch the healthcare into a Teamster funded product so that the Teamsters would benefits from that. On every other issue the Borough made substantial concessions and movement. They have resolved wages, paid leave time, and benefits. The only thing that remains unresolved is the insistence from the union to control management rights issues, past practices issues. Solicitor Rudolf stated that he believes that this Council is not willing to do that. It's not a matter of capitulating how the Public Works department operates. He explained that Mr. Brock completely misstated that there is no enforcement under the contract, completely misstated the number of unfair labor charges there were, and completely mischaracterized the issue of retiree healthcare and this has been consistently done all along. Solicitor Rudolf stated that the generally accepted accounting requirements are going to change for public employers. They will be mandated to include the current cost of the future cost of retirement healthcare. That will be a substantial cost to the Borough if the Teamsters proposal is agreed to. He added that it's a shame and disappointing that Mr. Brock has misled the public and the press and that he has made false statements at the Borough meetings.

Mr. Brock stated that he noticed that Solicitor Rudolf did not address the part about the Borough not coming to the negotiating table. He then said that Solicitor Rudolf was trying to characterize the unfair labor practice as someone who was watering the plants but they were using Borough equipment and they were subcontracting out to put a chill on the fact that the employees voted for the union and that's what the Labor Board found. Solicitor Rudolf stated that every employee that stated that hated watering the plants and it was simply done as a bullying tactic. Mr. Brock repeated that they found that this was done because the employees chose to have a labor representative and it has nothing to do with watering flowers. Solicitor Rudolf said absolutely not.

Mr. Brock then explained that they were given a grievance procedure but no arbitration. They took out the fact that the arbitrator's decision is final and binding. Therefore the Borough does not have to listen to the arbitrator. Solicitor Rudolf stated that they do have to listen to the arbitrator because it's in the statute, in Act 195. Mr. Brock said it is not. Solicitor Rudolf stated that he will send a copy of the statute and highlight the section that says that allows public employees in Pennsylvania to form a union. Mr. Brock stated that Solicitor Rudolf would grieve the language and in fact, every time they came close to a settlement this Borough, this attorney, and this Council backpedaled and took away things like binding arbitration. Solicitor Rudolf stated that the language in the Last and Best Offer provides for binding grievance arbitration. Mr. Brock said it does not. Solicitor Rudolf explained that regardless of what is in the collective bargaining agreement, it's in the statutory mandate.

Mr. Brock said in regards to the healthcare, they don't want it so they can take it out of the plan. The only reason it came into the plan was to save the Borough a bunch of money but he then said that they can withdraw it from the plan since they don't need ten people in their fund. He then

stated that they were saving the Borough $60,000 and over $120,000 for two years. A resident said that the Borough said they do not have the money yet they would rather argue about it.

Mr. Brock stated that they characterized the Teamsters as making all of these demands without conceding. He mentioned that their demands were basically status quo. They wanted it status quo and were willing to save a bunch of money on the healthcare and the Borough said no. Instead the Borough has spent upwards of $300,000-350,000 on the idea of busting the Teamsters. He stated that the Borough already busted the Public Works' union. Solicitor Rudolf explained that the Teamsters busted the Public Works' union because all of the documents he read filed by the Teamsters' attorney sail that they went out of business and they merged with the Teamsters and the members from the association voted to disban. Solicitor Rudolf then read the statute and it's not necessary to have it in the in the contract because it's understood.

Michele Sine, Warrington, stated that she is the wife of **Brent Sine** who was wrongfully terminated. She asked Solicitor Rudolf what he is going to do about this. SOLICITOR RUDOLF stated that she should ask Mr. Brock. Michele Sine said that she is sick and tired of wasting her time and taxpayers money because he was wrongfully terminated and she wants to know what will be done about it. Solicitor Rudolf said there is a hearing scheduled for August 19th and Brent's attorney said that he will not meet on August 19th and will seek a continuance. Secondly, out in the parking lot Mr. Brock told him that he was going to file a separate independent action. Solicitor Rudolf stated that his understanding of why he will not participate on the 19th, according to the union's attorney, is that he does not want to testify if the possibility of criminal charges are outstanding. He wonders then why he would file a lawsuit where he has to assert his claim and state his position still with the possibility of criminal charges outstanding. Solicitor Rudolf said that they should then go ahead on the 19th and will write a letter to the Labor Board saying that he absolutely objects to any continuances. Michele Sine said they are going on six-months and he says there is all of this evidence that her husband is a criminal and there is a case. Solicitor Rudolf said that he is not a criminal attorney nor a prosecutor and he has evidence that he engaged in misconduct. Michele Sine said to just arrest him them. She added that Brent came a few months ago and begged to be arrested and Chief Gardner wouldn't even look at him. Solicitor Rudolf said that this has nothing to do with criminal charges. Michele Sine again said to arrest him and get it over with then or reinstate him. Solicitor Rudolf said that misconduct and termination from employment are completely separate from criminal conduct. People engage in criminal acts, come to meetings and get arrested, and don't lose their jobs. Mr. Brock stated that a lot of people get arrested. Michele Sine asked when it was going to end and what kind of game are they playing. Solicitor Rudolf said on August 19th. Michele Sine then asked where the tape is and asked to see the tape since he was fired because of the tape. She said that her family suffers and her kids are humiliated. Michele Sine said that they are wasting her time. A resident stated that they are wasting Borough money and taxpayer money.

ADJOURNMENT and EXECUTIVE SESSION

PRESIDENT CLARK then adjourned the July Council meeting. He stated that there would be a brief executive session held.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

(attachment to July 25, 2005 minutes)

To: Joseph Pantano, Borough Manager
Mark Vasoli, Council Member
Jim Cuozzo, Elm Street Committee Chairman

From: Kathy Rusch
Main Street Manager

Date: July 14, 2004

Re: Elm Street Board Member Consideration

Good afternoon all,

As we discussed, I would like to extend a written invitation to a few community members to come to our August 3rd Grants Meeting for discussion on the Elm Street Program and opportunities for community involvement. I have these letters scheduled to mail on July 23rd.

With the prospective need for creation of an Elm Street Board of Directors, it is imperative that we have fresh ideas and people with a clear understanding of the program. This meeting will give us the opportunity to review their qualities as well as giving them a chance to ask questions regarding the program.

The individuals that I currently have listed, per our discussions are:

Larry Weiss – Cosmopolitan Motors, Jacksonville Road
Nichole Solofsky – Business and Home Owner in Elm Street District
Angel Anderson – Borough Business Owner, Hatboro Real Estate
Linda Lind – Hatboro Federal
Steven Keller – Business Owner, Jacksonville Road
Sven Hellwig – SKH Locksmith, Jacksonville Road
Jean Barrucci – Home Owner in Elm Street District
Tom Davis – Hatboro Volunteer

Please review the list above and let me know of any additions, questions or concerns.

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
Telephone 675-1454 HATBORO, PA 19040 Fax 675-2286

PUBLIC WORKS MONTHLY REPORT

Month of: June 2005

	Month	Year to Date
Loads of Trash	36	212
Tons of Trash	300.01	1,509.90
Tons of Glass and Cans	17.91	86.36
Street Opening Permits	1	4
Street Opening Fees Collected	$100	$400
Sidewalk/Curb Permits	7	25
Sidewalk/Curb Fees Collected	$485	$1,205
Large Article Pick-up Stops	116	342
Number of Large Article Picked Up	252	669
Newspaper Tonnage Collected	45.96	215.69
Grass/Leaves Tonnage Collected	110.90	258.97
Tires Recycled and Cost		
Refrigerators/Freezers/Microwaves		
Cost of above		

Remarks:

NORTH BOROUGH PARKING LOT MONTH & YEAR 5-Jun

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
6/2/2005	13.58		ECE-5830	FORD			17
6/7/2005	13.09		FHJ-5597	CHEV			3
6/7/2005	13.09		PZA-446T	LANDROVER			19
6/7/2005	13.09		DSX-7052	BMW			57
6/7/2005	13.09		DPX-3364	PLYMOUTH			68
6/8/2005	13.4		FXL-2568	HONDA			NOSPACE

	YEAR	$650.00
	MONTH	$60.00
	YEAR	$710.00

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

5-Jun

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	6.1		5.8	6.3	18.1	9.6		
	7.7		14.8	8.4	7.5			
	5.3		0.5	10.7	7.5			
	7.8		4.5	10.7	14.4			
	7.7		6	8.9	8.1			
	8.2		6	9.1	5			
	6.4		6.5	15	3.7			
	10.3		5.7	6.4	7.2			
	6.3		5.1	7.3	7.9			
	5.8		6.9	6.6	8.3			
	9.2		4.8	2.4	6			
	7.2		6.9	12.4	4.9			
	4.4		9.8	6.5	6.9			
	7.9		6.9	8.8	5.6			
	6.6		5.5	6.9	6.9			
	7.6		9.2	5.7	6			
	9.2		5.1	7.9	6.8			
	7.6		9.3	11	6			
	5.3		7.5	12.1	7.3			
	7.9		5.8	10.7	12.1			
	6		17.9	7.2	6.1			
	14.7		5.9	10.6	3.8			
	18.2		7.7	6.4				
	7.7		10.8	7.6				
	8			8.5				
	12			13				
	6.1			5.1				
	5.2							
	12.1							
	14.5							
0	249	0	174.9	232.2	166.1	9.6	0	831.8

Total Gasoline 831.8

at 1.45 gal = $1,206.11

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

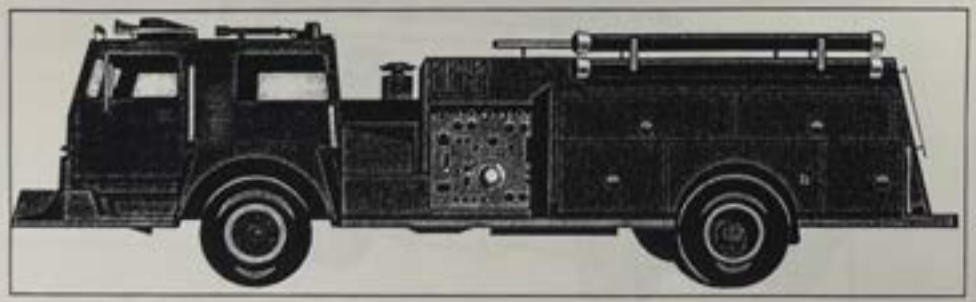
5-Jun

35-D	34.1														34.1
36-D	13.3	20													
37-D	32.4	28.5													60.9
45-D															
TOTAL	79.8	48.5	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]
															[illegible]

TOTAL DIESEL	[illegible]
DIESEL @ $1.[illegible] A GALLON	$[illegible]

34-G	5.3	10.7													
38-G															
39-G	10.3	11	7.7												
40-G	13.6	15.1													
46-G															
TOTAL	29.2	36.8	7.7	0	0	0	0	0	0	0	0	0	0	0	73.70

TOTAL GAS	73.70
GAS @ $1.45 A GALLON	$106.87



															5-Jun	
32-G															0	
33-G															0	0
31D															0	
30-D	19.4	16													35.4	35.4

TOTAL DIESEL	35.4
DIESEL @ $ 1.35AGALLON	$47.79

TOTAL GASOLINE	0
GASOLINE $1.45 a gallon	$0.00

DIESEL

5-Jun

9-18-D	24	25.8	25.1	16	14.9	17.9	17.1	34.6	19.8	19.5					
11-1-D															
17-8-D															
18-9-D	44.4	36.1	37	34.2											
20-12-D															
21-13-D	31	16.9	15.9	30.4											
26-14-D															
23-15-D	35														
24-16-D	28.5	34.1	23.9	20.5	33.4	23	37.1								
25-17-D	2.4	1	2.4	1.7	2.7	2.7	1.7	34.1	2.6	0.1					
30-M-D															
43-2-D															
44-D	9.7	19													
TOTALS	175	132.9	104.3	102.8	51	43.6	55.9	68.7	22.4	19.6	0	0	0	0	[illegible]

GASOLINE

13-3-G	31.8	29.7													
10-3A-G	3.3	8.6	17.6												
15-4-G	28.1	19													
16-7-G	21														
19-11-G															
27-20-G	13.2	15.5	13.1	+											
28-59-G															
29-M-G															
42-24-G	22.2	19													
47-G															
48-G															
49-G	22.5	22.6	13.5	21											
50-G															
TOTALS	142.1	114.4	44.2	21	0	0	0	0	0	0	0	0	0	0	[illegible]

GASOLINE [illegible]

$1.65 A GALLON [illegible]

DIESEL [illegible]

$1.35 A GALLON [illegible]

BOROUGH OF HATBORO

OFFICE OF
THE FIRE MARSHAL

414 SOUTH YORK ROAD
Phone: 215- 675-1454 HATBORO, PA 19040 Fax: 215-675-2286

MONTHLY FIRE MARSHAL REPORT

Month of: JUNE 2005

	This Month	Year to Date
Inspections	5	68
Re-inspections	1	4
Fire Investigations	2	35
Special Service	0	8
Fire Reports Issued	0	2
Permits Issued	2	8
Permit Fees Collected	$50	$350
Fire Report Fees Collected	0	$50
Inspection Fees Collected	$750	$5,812
Use and Occupancy Inspections	0	17
Use and Occupancy Re-inspections	0	2
Use and Occupancy Fees	0	$8,396
Miscellaneous Fees Collected	0	0
Total Fees Collected	$800	14,608

Remarks:

Fire Marshal Hours

	Inspt. month	Inspt. to date	Invest month	Invest to date	Special Service month	Special Service to date
Stauch	0	9.50	0	9.10	$0.00	34.45
Thomas	0	3.00	.15	1.55	00.00	11.30
Reading	2.45	15.30	.20	4.50	00.00	12.15
Totals	2:45	28 25	.35	16.00	00.00	59.15

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, August 22, 2005

PRESENT
President Clark, Councilpersons Acker, Plunkett, Strang, and Zygmont, Treasurer McKean, Solicitor Meyer, Detective Sergeant Becker, Mayor Celano, and Borough Manager Pantano.

ABSENT
Vice President Taggart, Councilperson Vasoli, Chief Gardner, and Superintendent Stauch.

CALL TO ORDER
PRESIDENT CLARK called the meeting of the Council of the Borough of Hatboro to order at 7:04 p.m.

MINUTES
PRESIDENT CLARK stated that Council is in receipt of the **minutes of the July 25, 2005 Council meeting**. COUNCILPERSON ZYGMONT stated that on page two, line four should say this year's grant and the Wachovia Parking Lot was shot down. Page three the resident was Mr. Demcisak. Page five the resident was Mrs. Guenst. Page six the resident was Mrs. LaSorsa. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

PRESIDENT'S REPORT
PRESIDENT CLARK reflected upon the memorial service of **John Kulick**. He explained that there was a lot of brightness mixed in with a lot of sadness. At the service, he kept hearing words to characterize John's life such as motivator, friend, always there, and positive. There were no words of resentment or anger. He was a true team player. As Peter Marshall said years ago, "Our lives are not measured by duration but by donation" and certainly John donated his life to his family and his country. He was one of many who gave his life so that we may be here to discuss issues, make decisions, and live in the United States of America.

PRESIDENT CLARK announced that he would leave the meeting at 8:15 p.m.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO updated everyone on the **general paving** in the Borough. The work began and has gone fairly well. It should be completed by the end of the week.

BOROUGH MANAGER PANTANO stated that contracts for the **CDBG paving** were awarded and executed. They will likely be on site this week. This work includes the milling and overlay of Central Avenue, Lacey Street from Central to Moreland, and Moreland from Jacksonville to Manor Road. COUNCILPERSON ZYGMONT asked if the contractor would be leaving six inches for the water clearance on the project. COUNCILPERSON ACKER stated that there will be a six inch reveal of the curb. Borough Manager Pantano stated that some of those streets don't even have curbs. They are doing some drainage work, including adding a swale on Lacey. Additionally, the amount of material being replaced will be initially removed through milling. The curb clearance will be the same, but not worse, and some of the drainage will be addressed through swales and widening the roads.

BOROUGH MANAGER PANTANO updated everyone on the **pool grant**. He is waiting to hear back from Mr. Tatanish from DCNR therefore he has not had the opportunity to talk to him about the "Strings Attached Manual". He is confident that everything will be in by the due date. Once all of the paperwork and approvals are in then they will set up a session with Wade Associates to see what Council and the community want to do in relation to the pool upgrade. COUNCILPERSON ZYGMONT asked if the patrons and residents could be invited to the September committee agenda. COUNCILPERSON PLUNKETT suggested that the community be involved after Council has the opportunity to discuss it first. Borough Manager Pantano would like for Mr. Wade to be in attendance when it is presented to the community so he could answer more questions and respond to more concerns.

BOROUGH MANAGER PANTANO updated everyone on the **Open Space Plan**. The draft that was developed by URDC along with a committee appointed by Council was completed. Council, the Planning Commission, and the County Planning Commission were provided with a copy for their review and comment. They will wait for the feedback and then go forward with a hearing or presentation. A copy will be put at the library and Borough Hall for residents to peruse. COUNCILPERSON ZYGMONT suggested putting a sheet for comments along with the draft thereby making it more accessible.

BOROUGH MANAGER PANTANO discussed meeting with the representatives from **Stoveworks** regarding their environmental review and determine the status of the study. There are issues that the engineers would like clarified and documented which were itemized in their review letter. They are continuing to work with the Stoveworks consultants to adequately address our concerns.

BOROUGH MANAGER PANTANO announced that the **recycle truck** should be in by September. He will work with public works to notify the residents about the change in the recycling program which includes collecting the paper products on the regular recycle days. Additionally, plastics will be collected as well.

BOROUGH MANAGER PANTANO reported to Council that he was checking with West Moreland Council of Governments regarding the **dump truck** and the bid availability. The truck that they wanted is out of stock. They are looking at the state purchasing program to see if they have a similar truck. They can also bid out although Borough Manager Pantano would prefer to go through the consortium to get the best price.

BOROUGH MANAGER PANTANO notified the bidders that the resurfacing project was rejected. It was discussed at a previous meeting to incorporate the **basketball courts** into another paving project. They are hoping to have something ready within the next month. Additionally they are reprioritizing some of the roads, looking at the next three years of the five-year program. This project will be laid out for this year, which will help with pricing because it's this year's prices plus the time of the year should help as well. COUNCILPERSON ZYGMONT explained that this popped up on them at the last committee meeting and they sort of don't have a cost analysis for Loller, the Firehouse, and other places in the Borough. They have been talking about the basketball courts for two years and she thought this was for next year. Borough Manager Pantano stated that it was his understanding that this is what he was directed to do by Council. He added that they do not have to accept the bids if they are not good. Councilperson Zygmont asked if it was a separate issue. Borough Manager Pantano explained that it was a separate line item.

BOROUGH MANAGER PANTANO announced that **Moreland Avenue** is almost complete, The paperwork for the payment request was submitted to the County. There is still some paperwork needed from the contractor therefore the final check will not be released until the approval is received from the engineers.

COUNCILPERSON ZYGMONT asked if Borough Manager Pantano had a status report on the **Gateway Project**. BOROUGH MANAGER PANTANO said he does not.

COUNCILPERSON ZYGMONT asked if Borough Manager Pantano had a report on **Hometown Streets**. BOROUGH MANAGER PANTANO stated that they are providing him with minutes from the meeting as well as a summary report from the engineers from that day. The meeting went very well. It will be a long process as there are very specific issues to be discussed as they move forward (ie. a base map with latitude and longitude). The representatives from the County were at the meeting as well. He will provide Council with all of the information.

PRIVILEGE OF THE FLOOR

Bud Aiken, Orchard Avenue, explained that they are present to support the **ordinance for conduct in the municipal parking lots**. He thanked the efforts from the police and the professional way

they conducted themselves on July 8th with the scuffle ending up with about thirty-six people. This continues to be an ongoing problem. The police are limited until this ordinance is passed. This problem started around March 15th and continues through December 15th. The language is atrocious and since there are no lavatories, the people use the fences and the buildings. They leave trash and the neighbors and Public Works have to take care of cleaning the trash. There can be six to forty girls and boys there at one time. COUNCILPERSON ZYGMONT asked if Mr. Aiken received a copy of the ordinance and if he was ok with it. Mr. Aiken said yes.

Joe Brock, Teamsters 830, wanted to comment on the **ordinance** that will be voted on tonight. He extended the deepest sympathy, from the staff and members of Local 830, on the loss of community hero **John Kulick**. Regarding the disorderly practices, he was reading what was happening in Hatboro Township with public drunkenness, underage drinking, and assaults. He is concerned with the message it is sending that it's not ok to partake in these kinds of crimes but it is ok for someone who has led a life of crime to sit on Hatboro Council. He asked if they are going to really send a message to the community that they are going to be tough on crime or continue to wink and nod and ok at the members of council who have spent time in jail and committed the very crimes that Hatboro is trying to prevent. PRESIDENT CLARK stated that he had no idea what he was talking about and thanked him for his comments even though he is not a resident of the Borough.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 07/31/05 the balances invested in Commerce Bank totaled $6,983,500.63. Interest credited for the month was $21,615.88. Average yield for July was 3.61%.

PAYMENT OF BILLS

PRESIDENT CLARK announced that the **warrant list** should read July/August since there are bills on there for both. COUNCILPERSON ZYGMONT asked what the **AFLAC bill** was for. BOROUGH MANAGER PANTANO explained that a number of employees are covered through AFLAC therefore it is a payroll deduction item and it is paid with a check. Councilperson Zygmont asked about **Glenn's Towing** for $120. DETECTIVE SERGEANT BECKER stated that it was for the police SUV. Councilperson Zygmont stated that the refrigerator for the pool, bought at **Mr. Jim's furniture**, should be charged against the concession account, not the maintenance account. Borough Manager Pantano stated that it was bought through maintenance and all of the equipment for the pool is purchased through the maintenance account. He added that there is no money in the concession account therefore if it was there it could be a negative number. Councilperson Zygmont stated that she thinks it should be there along with the freezer from last month. She then asked about the **Reed Smith** invoice in the amount of $9,486. She asked if it was just for June. SOLICITOR RUDOLF stated that he does not have a copy of the invoice but if it was for $9,000 then it must be for more than one month. Councilperson Zygmont asked if it was for just the labor and contract. Solicitor Rudolf stated that it would be for everything including separate and individual items. Councilperson Zygmont asked if there was reimbursement for the zoning and land development on the warrant list. Borough Manager Pantano said yes. COUNCILPERSON ACKER asked if the Borough submitted a request for reimbursement for the **spring water** which was purchased as a result of the water contamination. Borough Manager Pantano stated that he would check with Chief Gardner. Councilperson Zygmont stated that there was a final bill for a payphone from **Verizon**. She asked if the payphone was taken out of Loller because it is a 401 account. Borough Manager Pantano stated that he would check. COUNCILPERSON STRANG made a MOTION to approve the warrant list and manual check list. This motion was SECONDED by Councilperson Acker and was APPROVED by Council unanimously.

MAYOR'S REPORT
MAYOR CELANO wanted to acknowledge the Borough's hero, **John Kulick**. He mentioned that he knew John as a child who used to go into his music store. He added that it was sad to lose a son. He looked around and saw all of the people from the outlying areas that came to honor him.

SOLICITOR'S REPORT
SOLICITOR MEYER worked on the **Curative Amendment** appeal for 400 North York Road.

SOLICITOR MEYER met with representatives from **Stoveworks** to review the proposed mixed use ordinance. He also prepared a legal opinion on this issue.

SOLICITOR MEYER prepared amendments to the proposed ordinance governing **conduct in parking lots** and harassment.

SOLICITOR MEYER researched the law on the obligation of a municipality for a **tree** growing in the middle of a street.

SOLICITOR MEYER continues to work with the developers at **419 North York Road** and **M&S Centerless Grinding**.

COUNCILPERSON ZYGMONT asked if Solicitor Meyer heard anything from **Carr & Duff**. SOLICITOR MEYER said no.

DEPARTMENT SUPERVISORS' REPORT
DETECTIVE SERGEANT BECKER stated that on behalf of Chief Gardner and the members of the Hatboro Police department he would like to send their deepest condolences to the family and friends of **John Kulick** as well as the Enterprise Fire Company. He also wanted to thank the residents, businesses, and the motorists that were in town on Thursday for their patience, support, and cooperation during the solemn funeral services.

FIRE MARSHAL STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS
Administration – Dr. Clark
PRESIDENT CLARK made a MOTION to approve the payment of the bills for the Moreland Avenue CDBG bill ($507.58) as well as the Southern Gateway Project ($2,154.43) to be paid by the **Borough Authority**. This motion was SECONDED by COUNCILPERSON PLUNKETT and was APPROVED by Council unanimously.

PRESIDENT CLARK made a MOTION to approve the payment of the **Tanner Park Wall** retainage ($2,132.33) for landscaping. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

Budget & Insurance – Dr. Strang
COUNCILPERSON STRANG stated that he had nothing to report at this time.

Parks, Recreation, & Community Relations– Mr. Plunkett
COUNCILPERSON PLUNKETT made a MOTION to approve three upcoming events in the Borough (**HatOberFest**, October 22-29, **Elm Street Community Day Picnic** at Tanner Park, September 24, and the **Main Street Hatboro Folk Festival**, September 18). The proper paperwork has been submitted. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

Health & Environment – Mrs. Zygmont
COUNCILPERSON ZYGMONT stated that she had nothing on her agenda to report on but she would like to send her sympathy to the **Kulick** family. It was very nice to see the work that the fire company put in and the people from public works all worked together to make them proud. She also asked if the fire company would forward the information about the scholarship fund for Amanda so they could be of help.

Public Safety – Mr. Taggart
PRESIDENT CLARK made a MOTION to approve the **Disorderly Practices Ordinance #961**. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

Public Works & Public Properties – Mr. Acker
COUNCILPERSON ACKER stated that he had nothing to discuss.

Zoning, Development & Historical Preservation – Mr. Vasoli
PRESIDENT CLARK stated that there was nothing to discuss on this agenda.

PRIVILEGE OF THE FLOOR
Rick Lefebvre, Enterprise Fire Company, on behalf of all of the members of the fire company expressed thanks for the help that the Borough has given in regards to the memorial service for **John Kulick**. He added that they wanted to do something extra special and the members have come up with an idea that was passed around with Council at one time in regards to a memorial for John. At one point in time, Council was contemplating changing the name for Miller Meadow and they were requesting that Council consider a memorial for John Kulick, the Hometown Hero, friend, and brother.

Chief Fred Zollers thanked everyone in the community and on Council, including Mrs. Zygmont who put in time to help for the outpouring of help during a sad time, with the services of **John Kulick**. He would like to thank everyone in all of the surrounding communities as well. There were people lining the streets the entire way.

Danny Grace, Secretary/Treasurer for Teamsters Local 830, stated that he is the boss of all of the gentlemen there. He heard the question that Mrs. Zygmont asked about the bill for Joe Rudolf. It is his understanding that there have been no phone, no emails, and no discussions since Council handed out the frivolous final offer. He asked what the exact figure of $9,000 was because he believes the people in Hatboro deserve to know what the money was spent for since there has been no communication from anyone in his staff with anyone in the Borough. He knows that he is paying the guys to communicate and he would like to know why the residents are paying and not getting any services. BOROUGH MANAGER PANTANO stated that it is not appropriate for Solicitor Rudolf to comment on the bill as he does not have a copy of it. SOLICITOR RUDOLF stated that his recollection is that it probably covers three months up through June. This would include an unfair labor hearing which Teamsters cancelled at the last minute and **negotiations** which the Teamsters sent representatives to that have never even looked at the proposal. He added that the Teamsters representatives sat at the table and said they don't know what the proposal is about because they have not seen it or read it. Although it was dated in April and they were viewing it in May, they all decided to go through the contract page by page and learn about it at the same time. Therefore the Borough was forced to sit there for over two hours to review a document that they had no idea how to interpret it, how to read it, or what it meant. This invoice included those sessions. Mr. Grace asked if Solicitor Rudolf was telling the residents in Hatboro that it costs $4,500 per hour for the services. Solicitor Rudolf said no, because it included two unfair labor charges which the Teamsters attorney cancelled at the last minute and the most recent one was cancelled as well. Mr. Grace said he didn't think so and he believed that Hatboro sent the letter the day before it was scheduled and his schedule would not permit him to be there. Solicitor Rudolf stated that he knows for a fact that there are a lot of attorneys that work at that firm but he cancelled it at the last minute, despite the Borough sending a letter back rejecting the cancellation,

it was continued. Mr. Grace stated that he knows for a fact that there are other attorneys at his firm that are a lot more reasonable than Solicitor Rudolf and they would probably be done already. Solicitor Rudolf stated that he doesn't recall Mr. Grace attending any sessions. Mr. Grace told him that he was losing his memory then because he was in this room with him. He again asked what the $9,000 bill was for. Solicitor Rudolf said he did not know, he doesn't know how many months it covered and what it was for. COUNCILPERSON ZYGMONT asked Borough Manager Pantano for a copy of the invoice.

Joe Brock, Teamsters Local 830, stated that the public works employees in Hatboro, who have gone three years and nine months without a raise, get twelve **sick days** per year, which accrue year to year to a limit. He added that when Mr. Brent Sine was illegally terminated for his union activity he would have potentially had 160 sick days over the course of his career. Mr. Brock stated that the slacker that he was, he took off a total of ten sick days leaving him roughly 150 unused sick days. To date, Mr. Brock added, he understands that Mr. Sine has not been paid for his unused sick days. He asked when he would be paid out the sick days and what the Borough has done with the money that should be used for paying him out his sick days. BOROUGH MANAGER PANTANO said he could not address this at this time. Mr. Brock stated that he asked Mr. Clark. SOLICITOR RUDOLF explained that President Clark has deferred the question to him. Mr. Brock told Solicitor Rudolf that he would then just come up with some mumbo jumbo. Solicitor Rudolf said that this is the first time that there is a suggestion that there might be an obligation to reimburse Mr. Sine for sick days that he could have used but did not. Mr. Brock told Solicitor Rudolf that he is acting like he is not familiar with the concept of paying out unused sick days and he stated that there is a law stating this. Solicitor Rudolf restated that this is the first time this was being mentioned and there was never any request prior. Also, in the same way that there is not an obligation to pay increased longevity and to pay step increases on anniversary dates, there is no obligation to pay anybody for unused sick time since there is no contract in place. Mr. Brock repeated that they are required to by law. Solicitor Rudolf stated that there is no such law and Mr. Brock should know that. Mr. Brock mentioned the Wage Payment and Collection Law. Solicitor Rudolf put in plain words that Wage Payment and Collection Law not only does not say that but also does not apply to Boroughs. Mr. Brock stated that it was ok and he would buy his bologna but he asked what the Borough did with the money. Solicitor Rudolf stated that that presupposes that on some regular basis the Borough puts aside the money for all of the days that the employee accrues. He further added that nobody does that. Mr. Brock asked if Solicitor Rudolf just keeps his money. Solicitor Rudolf stated that it is not his money. An employee comes to work and gets paid. When they stop working they do not get paid anymore. Mr. Brock stated that they get sick days that should presumably get paid out. He told Solicitor Rudolf to just say it – that he keeps the money and that's ok. He repeated several times that he should just say that he keeps the money. Solicitor Rudolf said it does not pay bonuses to employees who were terminated for misconduct. Patricia Wurst, 33 Rorer Avenue, asked if everyone that has sick days should take them before the end of the year in case they get fired, legally or illegally fired. She added that Solicitor Rudolf is not making sense. She said that they are saying that they are earning these days but if they leave tomorrow then they will never get their money. She added that she works with the cheapest man around but when he fires someone he pays them for their vacation and their sick days. Mr. Brock asked if the employees start using their accrued sick days if he would read in the paper that the Teamsters started a job action because they used their sick days because the Borough is going to keep it. Solicitor Rudolf stated that he would not respond to that because he (Mr. Brock) knows very well that the definition of a strike includes sick outs and they are well aware of the last time that the bargaining unit members collectively called a sick out. Mr. Brock again asked if it would be considered a job action if they used their sick days because they would keep them. Solicitor Rudolf stated that he could not comment at this time. Mr. Brock said that he has not really commented up to this time and thanked him.

A resident asked for the effective date of **Ordinance #961**. SOLICITOR MEYER stated that as with any ordinance, it will be completed by the signature from the Mayor, being sent to the Law Library, and being placed in the book. He believes that the police have the authority to use that weapon currently but to be specific it will be about ten days.

Bud Aiken, Orchard Road, admitted that he has not been to a Council meeting in a long time. He stated that they have a wonderful Council, a great police department, a great fire department, and a great **maintenance department**. He is feeling sorry for the Council members and the maintenance members. He added that it's a shame and asked if there is any way that the residents could hear the full story to straighten out a lot of rumors.

Ed Moll, Academy Road, stated that at the last Council meeting there was a question raised about the **ticks** over there. He doesn't know if he got an answer. PRESIDENT CLARK stated that COUNCILPERSON ACKER would have an in-depth answer at the committee meeting.

ADJOURNMENT and EXECUTIVE SESSION

PRESIDENT CLARK then adjourned the August Council meeting at 7:59 p.m. He stated that there would be no executive session held.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

PUBLIC WORKS DEPARTMENT

459 OAKDALE AVENUE
Telephone 675-1454 HATBORO, PA 19040 Fax 675-2286

PUBLIC WORKS MONTHLY REPORT

Month of: July 2005

	Month	Year to Date
Loads of Trash	34	246
Tons of Trash	282.90	1,792.80
Tons of Glass and Cans	16.81	103.17
Street Opening Permits	0	4
Street Opening Fees Collected	0	#400
Sidewalk/Curb Permits	3	28
Sidewalk/Curb Fees Collected	#105	#1,310
Large Article Pick-up Stops	32	374
Number of Large Article Picked Up	70	739
Newspaper Tonnage Collected	40.96	299.93
Grass/Leaves Tonnage Collected	81.93	299.93
Tires Recycled and Cost		
Refrigerators/Freezers/Microwaves		
Cost of above		

Remarks:

TRASH & RECYLING COMPARRISON

MONTH	TRASH			GLASS & CANS			NEWSPAPERS			GRASS/LEAVES		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Jan	247.98	227.98	248.31	12.85	14.86	14.9	13.75	14.86	20.48	26.79	20.76	20.13
Feb	113.54	210.31	206.10	8.45	12.11	12.61	20.39	22.35	24.76	13.75	11.10	.61
Mar	280.44	260.08	25.284	29.43	12.38	12.48	21.00	21.74	23.65	29.43	21.61	10.96
Apr	295.87	282.78	287.87	13.93	14.47	15.10	22.77	31.63	3058	42.88	57.14	57.70
May	307.41	281.15	286.72	13.35	20.10	13.36	27.89	25.73	24.30	62.59	79.79	21.61
Jun	330.25	292.92	300.01	12.58	14.53	17.91	23.80	25.00	45.96	53.78	49.47	110.90
Jul	308.89	292.92	289.90	15.90	16.35	16.81	20.49	27.35	40.96	41.39	37.08	81.93
Aug	277.20	292.59										
Sept	344.20	276.76										
Oct	280.44	263.36										
Nov	232.96	278.40										
Dec		253.45										

NORTH BOROUGH PARKING LOT MONTH & YEAR 5-Jul

PARKING VIOLATION

DATE	TIME	TICKET NUMBER	LICENCE NUMBER	MAKE & COLOR	WIN	LOST	METER
7/20/2005	13.01		WR6448L	JEEP			84
7/20/2005	13.01		PFO1303	FORD			85
7/20/2005	13.01		ECJ-4472	TOYOTA			86
7/20/2005	13.01		DSX-0505	FORD			76
7/20/2005	13.01		DHD-4737	FORD			75
7/21/2005	13.03		DDV-7747	CHRYSLER			23
7/21/2005	13.03		FRF-1995	HONDA			38

	YEAR	$710.00
	MONTH	$70.00
	YEAR	$780.00

BOROUGH OF HATBORO

POLICE FUEL USAGE REPORT

5-Jul

37-1	37-2	37-3	37-4	37-5	37-6	37-7	37-8	
0	5.3	6.7	6.4	11	0			
	7.2	13.5	8.1	9.8				
	7	19.5	6.8	8.6				
	7.3	8	11.1	6.3				
	3.5	6.9	7.7	11				
	3.1	7.1	9.4	4.9				
	5.2	16	12.3	11.2				
	8.9	6.8	6.9	3.9				
	8.4	4.2	6.3	6.4				
	5.5	12.1	8.4	0.7				
	5.3	5.8	3	4.7				
	8.5	5.3	5.2	4.9				
	7.5	6	10	3.9				
	13	2.8	5.7	3.7				
	7.8	5.9	22.9	5.8				
	5.2	6.5	6	4.8				
	11.1	2.7	10.4	5.4				
	4.1	5.3	7.7	15.8				
	7.3	13.7	9.1	10.1				
	5.8	9	7.3	6.6				
	6.2	4.8	6	5.5				
		14.4	5.1	17.2				
		7.2	3.9	5.1				
		5.2	6.3	6.3				
		12.2	7	3.9				
		2.4		6.3				
		7		5				
				5.5				
0	143.2	217	199	194.3	0	0	0	753.5

Total Gasoline 753.5

at 1.45 gal = $1,092.58

_____
sign/initial

GENERAL FUND - Adj - _____ - Police Fuel Usage

Police Fuel	**01.410.250**	**D XXXX**	(charge account)
Maintenance Fuel	**01.437.410**	**C XXX**	(reduce account)

DIESEL

5-Jul

9-18-D	20.5	20.7	25.7	30.7	27.2	22.8	20.9	19.8	18.2						
11-1-D	30.1														
17-8-D															
18-9-D	21.6	26.3	23.2	38.1	29.8										
20-12-D															
21-13-D	30.6	29.1	31.7												
26-14-D															
23-15-D	34.4	40.9													
24-16-D	26.6	18.9	24.2	36.2	28.4	30.7	20.1								
25-17-D	1.4	3.2	2.6	1.9	2.6	0.8	2.6	3.3							
30-M-D															
43-2-D															
44-D															
TOTALS	165.2	139.1	107.4	106.9	88	54.3	43.6	23.1	18.2	0	0	0	0	0	[illegible]

GASOLINE

13-3-G	32.1	31													
10-3A-G	6.3	10.6	10												
15-4-G	5.8	28.1	30.3												
16-7-G	20.8	21.7													
19-11-G															
27-20-G	15.5	14.9	15.1	0.1											
28-59-G	21.4														
29-M-G															
42-24-G	21.1	20.9													
47-G															
48-G															
49-G	21.6	10.1	20	3	10.6	0.9									
50-G															
TOTALS	144.6	137.3	75.4	3.1	10.6	0.9	0	0	0	0	0	0	0	0	[illegible]

GASOLINE [illegible] 673.9

$1.45/GALLON 529.56

DIESEL [illegible] 746.8

$1.35/GALLON 1,006.83

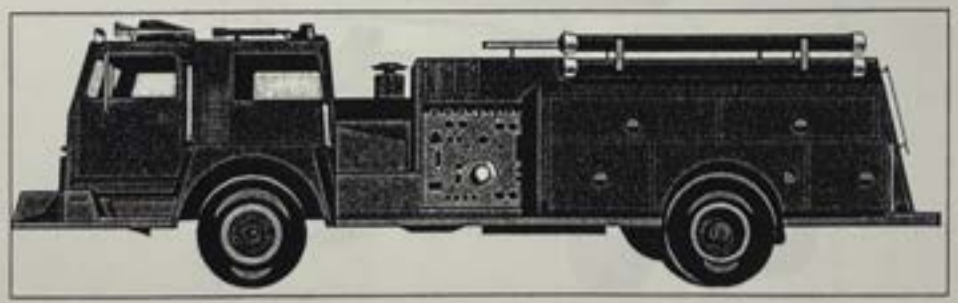
5-Jul

35-D	28.7														28.7
36-D	32	3.1	14.1												
37-D	11.8	32.5													44.3
45-D															
TOTAL	72.5	35.6	14.1	0	0	0	0	0	0	0	0	0	0	0	[illegible]
															[illegible]

TOTAL DIESEL	[illegible]
DIESEL $'S A GALLON	[illegible]

34-G	25	21.3													
38-G	4	20.2													
39-G	11.5	8.3	7.6												
40-G															
46-G															
TOTAL	40.5	49.8	7.6	0	0	0	0	0	0	0	0	0	0	0	97.90

TOTAL GAS	[illegible]
GAS $ PER GALLON	[illegible]



														5-Jul		
32-G															0	
33-G	22.5														22.5	22.5
31D															0	
30-D															0	0

TOTAL DIESEL	0
DIESEL @ $ 1.35AGALLON	$0.00

TOTAL GASOLINE	22.5
GASOLINE $1.45 a gallon	$32.63

DIESEL

5-Jul

9-18-D	20.5	20.7	25.7	30.7	27.2	22.8	20.9	19.8	18.2						
11-1-D	30.1														
17-8-D															
18-9-D	21.6	26.3	23.2	38.1	29.8										
20-12-D															
21-13-D	30.6	29.1	31.7												
26-14-D															
23-15-D	34.4	40.9													
24-16-D	26.6	18.9	24.2	36.2	28.4	30.7	20.1								
25-17-D	1.4	3.2	2.6	1.9	2.6	0.8	2.6	3.3							
30-M-D															
43-2-D															
44-D															
TOTALS	[illegible]														

GASOLINE

13-3-G	32.1	31													
10-3A-G	6.3	10.6	10												
15-4-G	5.8	28.1	30.3												
16-7-G	20.8	21.7													
19-11-G															
27-20-G	15.5	14.9	15.1	0.1											
28-59-G	21.4														
29-M-G															
42-24-G	21.1	20.9													
47-G															
48-G															
49-G	21.6	10.1	20	3	10.6	0.9									
50-G															
TOTALS	[illegible]														

BOROUGH OF HATBORO

OFFICE OF
THE FIRE MARSHAL

414 SOUTH YORK ROAD
Phone: 215- 675-1454 HATBORO, PA 19040 Fax: 215-675-2286

MONTHLY FIRE MARSHAL REPORT

Month of: July 2005

	This Month	Year to Date
Inspections	15	68
Re-inspections	0	4
Fire Investigations	3	38
Special Service	0	8
Fire Reports Issued	0	2
Permits Issued	0	8
Permit Fees Collected	0	$350
Fire Report Fees Collected	0	$50
Inspection Fees Collected	**$555**	**$6,367**
Use and Occupancy Inspections	**5**	**22**
Use and Occupancy Re-inspections	**0**	**2**
Use and Occupancy Fees	**$1,500**	**$9,896**
Miscellaneous Fees Collected		**0**
Total Fees Collected	**$2,110**	**$16,663**

Remarks:

Fire Marshal Hours

	Inspt.		Invest		Special Service	
	month	to date	month	to date	month	to date
Stauch	5.35	10.30	.35	9.45	0	34.45
Thomas	.20	3.20	.15	2.10	0	11.30
Reading	3.35	18.05	.25	5.05	0	59.15

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, September 26, 2005

PRESENT
Vice President Taggart, Councilpersons Acker, Strang, Vasoli, and Zygmont, Treasurer McKean, Solicitor Meyer, Chief Gardner, Mayor Celano, Superintendent Stauch, and Borough Manager Pantano.

ABSENT
President Clark and Councilperson Plunkett.

CALL TO ORDER
VICE PRESIDENT TAGGART called the meeting of the Council of the Borough of Hatboro to order at 7:00 p.m.

MINUTES
VICE PRESIDENT TAGGART stated that Council is in receipt of the **minutes of the August 22, 2005 Council meeting**. COUNCILPERSON ZYGMONT requested that the date be changed to August 22nd and the word "although" be deleted from the President's Report. This motion was SECONDED by COUNCILPERSON ZYGMONT and APPROVED by Council unanimously.

PRESIDENT'S REPORT
VICE PRESIDENT TAGGART stated that there was an agreement on the **Garner House**. SOLICITOR MEYER stated that they took an assessment appeal to the Court of Common Pleas. The county and the school district reached an agreement with a stipulation in order. Solicitor Meyer will need authorization to approve and sign the stipulation. Vice President Taggart made a motion to APPROVE the stipulation for the Garner House tax assessment. This motion was SECONDED by COUNCILPERSON VASOLI and was APPROVED by Council unanimously.

BOROUGH MANAGER'S REPORT
BOROUGH MANAGER PANTANO stated that they are going to start working on a **fee schedule** for various subdivision and land development issues. There are no provisions, currently, for the zoning challenge that is occurring at 400 North York Road. He would also like to see how the Borough compares to other municipalities in relation to subdivision and land development fees.

BOROUGH MANAGER PANTANO explained that the master casting agreement is due with **PennDot**. This will require a resolution that will be placed on the October committee agenda. This is an agreement with PennDot itemizing the costs.

BOROUGH MANAGER PANTANO met with representatives of **Verizon**, along with Councilperson Vasoli and Solicitor Meyer, to discuss the video franchise agreement. Verizon is interested in providing video service to the borough through fiber optic line. They will receive a proposal from them and then make it available to Council. It will provide good competition for cable services for the residents. COUNCILPERSON ZYGMONT asked if the new **Comcast Agreement** has been signed. Borough Manager Pantano said no.

BOROUGH MANAGER PANTANO updated everyone on the recycling truck and the **Solid Waste Ordinance**. The ordinance now reflects the collection of plastics and newspapers and paper products on the same day as regular recycling. This has been advertised.

BOROUGH MANAGER PANTANO discussed the structural evaluation of the **Loller Building**. Council was provided with the quote of $1,200 and they were authorized to proceed. COUNCILPERSON ZYGMONT asked if other quotes were received. Borough Manager Pantano said no. Councilperson Zygmont asked about the Borough providing the contractor for demolition if necessary. Borough Manager Pantano said it would be only if necessary, for instance if something was in question but they do not expect anything extensive.

BOROUGH MANAGER PANTANO mentioned the **2006 MMO**. This would be paid to the pension plans of the police and the non-uniform workers. This is a positive calculation and the MMO has dropped by about $50,000 (rough figures). COUNCILPERSON ZYGMONT asked if Borough Manager Pantano received the **2004 audit** yet. Borough Manager Pantano said he received a draft of it therefore the final copy should be in this week. Councilperson Zygmont stated that she wanted to check the underfunding numbers. Borough Manager Pantano stated that they are putting in the MMO what the actuaries required, based on those numbers.

BOROUGH MANAGER PANTANO stated that **2005 paving bids** should be received in time for the October 10th committee meeting. If the prices are good then they can look into them, if not they can be postponed to next year. The bids include the basketball courts. COUNCILPERSON ZYGMONT asked if there was a consensus on the drains to be put in. COUNCILPERSON ACKER stated that it would be dovetailed. There would have to be a study completed to figure out where it would drain to.

COUNCILPERSON ZYGMONT stated that she was on East Moreland Avenue on Friday night and they are putting in **pavers** for the handicapped access ramp. She asked if that was part of the CDBG grant and who decided to do pavers. BOROUGH MANAGER PANTANO said it was a part of the CDBG and he was not aware that the pavers were being put in. He will ask the engineers. Borough Manager Pantano asked if Councilperson Zygmont objected to the pavers. Councilperson Zygmont explained that she wished that it was brought up to council so they could talk about it and everybody knew what was happening. COUNCILPERSON VASOLI stated that he thinks it looks nice and as long as additional funds would not be expended, he liked the pavers. COUNCILPERSON ACKER stated that he didn't feel that anyone was objecting to it, rather they were not aware of it. Councilperson Zygmont stated that it may be more difficult for older people as well.

COUNCILPERSON ZYGMONT stated that all of the **sidewalks** on West Lehman are all marked up. Around Lehman Church is also marked. BOROUGH MANAGER PANTANO stated that the engineers recommended that the curbing be replaced in areas where the paving would be done. This expense would be at the responsibility of the homeowner therefore he wanted to discuss it with Council. Years ago, when the streets were being milled and repaved, the deteriorating curbs were expected to be replaced by the homeowners. This was put in the contract as an alternate so that Council could determine how they want to proceed. This is a part of the current bidding contract. Councilperson Zygmont stated that she believed that the residents should have been notified before their property was defaced. Councilperson Zygmont recommended that Borough Manager Pantano go out to look at the area. She asked about the corner of Chester and Lehman. COUNCILPERSON ACKER stated that any corner has to have a depression put in, according to ADA requirements, even if a sidewalk is not in.

A resident asked about the brick on East Moreland Avenue at the **handicapped ramp**. She stated that it is illogical for a wheelchair, a cane, or a walker. She added that any engineer doing it is doing it just to make it fancy. COUNCILPERSON VASOLI mentioned that he, personally, likes the brick as long as it is safe. He added that the homeowner would only be responsible for fixing the concrete portions of the ramp if necessary, usually done at the change of ownership of the property. COUNCILPERSON ACKER reiterated that he would like to find out from the Engineer who approved this and why.

BOROUGH MANAGER PANTANO stated that there was a paving requisition for the paving completed by **Antonini and Sons**. The Engineer signed off on it but they are holding retainage until some of the punch list items are complete.

BOROUGH MANAGER PANTANO received the contract documentation for the $349,000 **Revitalization Grant**. The work will be coordinated with the Hometown Streets and Safe Routes to School Program. The Hometown Streets and the Revitalization Grants do have matches, however they match each other. The Revitalization Grant is all of York Road, and was intended

and submitted as a match for the Hometown Streets and Safe Routes to School. They did talk about getting a survey plan together to present to Council but Borough Manager Pantano thought that something should be done prior to that. Therefore he asked the Engineers for information prior to the survey plan and then a second round of discussion after the survey plan is received. COUNCILPERSON ZYGMONT asked if this could be put in their packets so they are prepared. Borough Manager Pantano said yes.

BOROUGH MANAGER PANTANO stated that the **York Road Federal Grant** was presented to the Borough last week by Congresswoman Alyson Schwartz. The check was in the amount of $1,000,000. COUNCILPERSON ZYGMONT asked if there was a match for this. Borough Manager Pantano said there would be a match but he already spoke to Congresswoman Schwartz about securing something for that match. The match is typically 20%. Councilperson Zygmont stated that there are several grants for York Road and asked if there was a way to get a layout of how this would all be coordinated. Borough Manager Pantano said that would be done with the HTSRS presentation and the million dollars is for burying the utility lines.

COUNCILPERSON ZYGMONT asked if anyone had the chance to look at the resident's **water problem** on Lincoln and at the corner of Continental. BOROUGH MANAGER PANTANO has not yet received a report from Gilmore and believes that they are waiting for rain to then look at the problem. COUNCILPERSON VASOLI stated that he walked with the resident on Lincoln. She showed him the concerning area, which two property owners own, yet it is accessible to the public. There is a bit of a ditch there and the Engineer can look at stormwater management ideas. COUNCILPERSON ACKER stated that Engineer Dougherty was going to look into past records as well to see if there was anything filed. SUPERINTENDENT STAUCH stated that the Sewer Authority came out and all of the piping belongs to the Borough. Councilperson Zygmont asked Superintendent Stauch to check the drain on the property. Superintendent Stauch explained he needed something with pressure to push it through. Councilperson Zygmont asked Superintendent Stauch to call the resident to inform them of the progress. Superintendent Stauch stated that he already called them once but he would call again.

PRIVILEGE OF THE FLOOR

Bill Tompkins, Spring Avenue, stated that there were items on the agenda that were not discussed at the committee meeting. He was hoping for discussion from the public regarding the **trash ordinance** and the **Stoveworks Project**.

Bill Tompkins stated that they are doing brick decorative pavers with curb cuts with grant money in one part of the Borough but are requiring residents to fix curbing, at the homeowners expense, in another part of the Borough. He asked why some parts are favored with **grant money**. BOROUGH MANAGER PANTANO explained that the CDBG funds are only allowed to be used in the low-mod areas. COUNCILPERSON ACKER pointed out that there are economic requirements. Mr. Tompkins asked if anyone looked into the extra cost, from a maintenance standpoint, for the decorative pavers. Councilperson Acker reiterated that this is something that will need to be discussed with the Borough Engineers when they find out how the pavers were decided on in the first place.

Ron Battis, West Moreland Avenue, asked if the **Verizon Agreement** would mean that the residents of the Borough could not, on their own, choose Comcast. COUNCILPERSON VASOLI said no because they are not looking at an exclusive agreement.

Ron Battis stated that the walk for the **Cancer Society** went very well. It was a large-scale operation, for a good cause. He stated that the neighbors wished that they were informed in advance with a flyer or something about having 1,000 people and 21 port-a-potties on the street. COUNCILPERSON VASOLI stated that it happened in between council meetings. BOROUGH MANAGER PANTANO stated that it happened so quickly that they didn't get the chance to inform everyone.

John Demcisak, resident, stated that Council needs to talk to the Engineers about the **brick pavers** because he looked at them this morning and they have great big bumps on them. Because of the curbs they are cutting a lot of small pieces and are bedded in small gravel. The real issue, however, is the legal one because the Borough has created the problem and they will be primarily liable. He added that it will be impossible to clear ice and snow from the pavers and the ice will freeze on them faster. The brick pavers put an unreasonable burden on the homeowner and on the Borough's insurance policy.

Merrie Keller, West Monument Avenue, asked if she heard correctly that the low-income side of town has the **pavers** paid for and the other side of town has to pay for them on their own. COUNCILPERSON ACKER stated that if the area in question qualifies for the economic grant then the Borough can accept the funds from the County. COUNCILPERSON ZYGMONT stated that the CDBG grant is only from Fulmor Avenue to the east side of Moreland Avenue on the York Road side.

TREASURER'S REPORT

TREASURER McKEAN reported that as of 08/31/05 the balances invested in Commerce Bank totaled $6,822,875.69. Interest credited for the month was $22,351.12. Average yield for August was 3.86%.

PAYMENT OF BILLS

VICE PRESIDENT TAGGART stated that Council is in receipt of the **warrant list and manual check list**. COUNCILPERSON VASOLI made a MOTION to approve the warrant list and manual check list. This motion was SECONDED by COUNCILPERSON STRANG. COUNCILPERSON ZYGMONT asked why they are paying June, July, and September for chlorine from **Berardelli**. SUPERINTENDENT STAUCH stated that the bills were turned in late. Councilperson Zygmont asked why the **CDW Government** was charged to the 401.401 capital purchase of the administration account. BOROUGH MANAGER PANTANO stated that it was for the back up of the computer system. Councilperson Zygmont asked about the flood damage bill for **Hopkins Ford**. CHIEF GARDNER stated that it was an insurance payoff from a police vehicle that was damaged in a flood on Moreland Road. The money was received, put in escrow, and this bill was paid out of it. Councilperson Zygmont asked about the computer repairs for **HPT Systems** that were put into data repair instead of equipment maintenance. Borough Manager Pantano stated that it could go in either. Councilperson Zygmont asked if the **Motorola Portable Radio System** was one of the new ones. Chief Gardner said no because the police have radios that are over seven years old. When the County can't fix them then they have to send them to Motorola for repair. Councilperson Zygmont asked for a copy of the July and August **PECO** bills. She also asked what the streetlight repair was for on the **Valley Power** invoice. Superintendent Stauch stated that there were a few on Fulmor and South Linden Avenue. Councilperson Zygmont asked if they were using Valley Power instead of Armour. Superintendent Stauch explained that Valley Power is where the equipment is from. Borough Manager Pantano added that Armour provides the service and Valley Power provides the hardware. This motion was APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that he had no report at this time.

SOLICITOR'S REPORT

SOLICITOR MEYER worked on the developers and escrow agreements for 254-256 County Line Road (**M&S Centerless Grinding**).

SOLICITOR MEYER attended a planning commission meeting regarding **Stoveworks**.

SOLICITOR MEYER prepared an advertisement for the adoption of an ordinance for a hearing on the application of an amendment to the **zoning ordinance** of mixed use – Heavy Industrial District.

SOLICITOR MEYER prepared an advertisement for the adoption of an ordinance for the recycling of **solid waste** ordinance.

SOLICITOR MEYER attended a meeting regarding the **cable franchise agreement**.

SOLICITOR MEYER is in consultation with the Solicitor from the Zoning Hearing Board regarding the **Brubaker** matter. They were turned down at the Zoning Hearing Board and they appealed that decision to the Court of Common Pleas. A brief was filed on behalf of the Borough, supporting the decision of the Zoning Hearing Board.

DEPARTMENT SUPERVISORS' REPORT

CHIEF GARDNER congratulated **Sergeant Bob Hegele** on his recent **retirement** from service. He served with the police department since 1979. He retired with the rank of sergeant at the end of August. Chief Gardner wished Sergeant Hegele well in his future and added that he would like to arrange a more formal presentation to him at the October meeting. COUNCILPERSON ZYMONT wished him all of the best and stated that she had a couple of complaints about the **illegal parking** at the post office. Chief Gardner stated that they may need to consider adding lines in front of it. It is enforced as much as possible and he understands it is a problem. Councilperson Zygmont stated that it's the long-term parking that is the issue. Chief Gardner wrote a letter to a resident in the area and will step the patrols up in the area again. SUPERINTENDENT STAUCH agreed that the Borough would need to seek permission from PennDot. COUNCILPERSON ACKER stated that the hash marks might be an additional deterrent.

FIRE MARSHAL STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS

Administration – Dr. Clark

VICE PRESIDENT TAGGART made a MOTION to approve the **Authority Bill** in the amount of $881.61, for a York Road traffic light design. This is through the County traffic light program. This motion was SECONDED by COUNCILPERSON VASOLI and was APPROVED by Council unanimously.

Budget & Insurance – Dr. Strang

COUNCILPERSON STRANG reiterated that there was a considerable amount of money saved for the **MMO** in 2006. This has to be presented to Council before the end of September to meet the County regulations. Councilperson Strang stated that the actual MMO is $177,844. There was a savings of approximately $52,000 for both police and non-uniform.

Parks, Recreation, & Community Relations– Mr. Plunkett

COUNCILPERSON VASOLI made a MOTION to approve the Chamber of Commerce **Holiday Parade, which** is scheduled for Sunday, November 20th. The event forms were submitted. This motion was SECONDED by COUNCILPERSON ACKER and was APPROVED by Council unanimously.

COUNCILPERSON VASOLI mentioned that last Saturday the **Elm Street Community Day** was held and was a huge success.

Health & Environment – Mrs. Zygmont

COUNCILPERSON ZYGMONT stated that she had nothing on her agenda to report.

Public Safety – Mr. Taggart

VICE PRESIDENT TAGGART stated that he had nothing to discuss at this time.

COUNCILPERSON ZYGMONT stated that the Fire Company is having a Beef and Beer on October 28th for the **John Kulick Memorial Fund**. The tickets are available at the Fire House.

COUNCILPERSON ZYGMONT stated that she would like to formally request information about what is being offered for the **police contract**.

Public Works & Public Properties – Mr. Acker
COUNCILPERSON ACKER made a MOTION to APPROVE the payment of the **Antonini paving** contract in the amount of $146,726. This was the 2005 paving project and there is a release letter from the engineer. Additionally, they are holding $16,000 as a retainer, pending the punch list items. This item is out of the bond issue. This motion was SECONDED by COUNCILPERSON STRANG. With a vote of 4-1, having COUNCILPERSON ZYGMONT voting no, this motion was APPROVED.

COUNCILPERSON ACKER stated that **trash ordinance** was left off of the prior agenda erroneously. Referring back to Solicitor Meyer's solid waste memo on September 16th, he indicated that this was being prepared for tonight's agenda. Additionally, since Solicitor Meyer was working on this, it wasn't available at the committee meeting in September. Councilperson Acker would like to proceed with it tonight because the only change is of a positive nature. The existing ordinance does not cover the collection of plastics, nor does it cover the collection of paper and cardboard on a regular recycling day. With the new truck, they wanted this ordinance in place so the collection of the appropriate materials could begin on October 1st. Since it is just being clarified and it's not controversial, he was hoping to have it approved tonight. COUNCILPERSON VASOLI added that it simply clarifies what has been discussed for months. COUNCILPERSON ZYGMONT stated that she knows it's not a big deal but it is an amended ordinance and she feels the public should have had a chance to look at it. BOROUGH MANAGER PANTANO stated that the ordinance has been available at Borough Hall and it was advertised publicly. Additionally, it was in memos to Council as well. It was only not on the agenda (that went out to Council in the packets). Councilperson Zygmont stated that if they proceed then she would not be able to vote on it and she wants to be able to vote on it. Councilperson Acker explained that he thought it was more of a housekeeping item, since it has been discussed for months, which is the only reason he added it to this agenda. He mentioned that it can be placed on next month's agenda. Councilperson Vasoli explained that he would, personally, go ahead with the vote because it has been discussed thoroughly. COUNCILPERSON STRANG asked what the ramifications would be if they do not pass the ordinance. Councilperson Acker explained that they could use the truck but they can't enforce the collection. Borough Manager Pantano added that it would have to be advertised again. SUPERINTENDENT STAUCH stated that they just wouldn't pick up the newspapers then. Councilperson Acker stated that it would be the end of October before it would be passed. Councilperson Zygmont asked if the residents had been notified. Councilperson Acker said no and he didn't want to give the impression of impropriety. SOLICITOR MEYER will readvertise for approval in October.

Zoning, Development & Historical Preservation – Mr. Vasoli
COUNCILPERSON VASOLI discussed the group home at **29 Summit Avenue**. It was operating without ever going through the special exception process. Bill Tompkins asked if they have been using the house with this use for years and if the fees would be doubled. Councilperson Vasoli said they have been using it like this but there is not a penalty for zoning. Councilperson Vasoli explained that there has been no evidence shown that this use is a detriment to the area so he has no position on it. COUNCILPERSON ZYGMONT stated that based on the information Solicitor Meyer shared on the Shared Housing Act; they are applying for a special exception, which is within the zoning code. She, too, can't find a problem with it.

COUNCILPERSON VASOLI read the **Stoveworks Resolutions** encompassing the meeting dates discussed at the committee meeting. Monday, October 24th will be the initial hearing. Thursday, November 10th will be the conditional use hearing. Additionally, there are other upcoming meetings on Monday, November 14th (subdivision and land development application at the committee

meeting) and Monday, November 28th (approval if other meetings come to form). Bill Tompkins, Spring Avenue, stated that he is concerned that they are holding a meeting for approval on the subdivision and land development and asked if they would not just be considering approval. He asked if this is all contingent upon the zoning overlay passing. SOLICITOR MEYER explained that they all have to fall in order. If one does not approve then everything they are doing would not be applicable. The notice requirement must be complied with, which is why they are putting the meetings in this order. If one does not happen then nothing will happen thereafter. There is no time frame required for the conditional use hearing. Solicitor Meyer added that you have to have the resolution because of the special council meetings. Councilperson Vasoli mentioned that the Borough's zoning ordinance requires more notice than the State requires. Mr. Tompkins asked if they will be avoiding the Zoning Hearing Board since they are wrote the zoning amendment. Councilperson Vasoli stated that their planner proposed this amendment. John Demcisak asked if Council intends on sending written notice to all of the residents in N-2. Councilperson Vasoli explained that it is adding a use, not rezoning. Solicitor Meyer stated that the proposal is not to rezone a property but it is a proposal for rezoning the heavy industrial district, which is why it is not necessary to notify every person who owns a building in the entire district. Mr. Demcisak stated that this will have a substantial impact on the residents in N-2 because it will allow multi-residential housing anywhere in the N-2 district. He asked again if Council was going to notify the residents in N-2. Councilperson Vasoli said no, because it is not a rezoning. COUNCILPERSON ZYGMONT asked Solicitor Meyer if they were supposed to have thirty days to review the feedback from the County and the Borough Planning Commission. Solicitor Meyer stated that the applicant has gone before both the County and Borough Planning Commission and they both rendered a decision. Councilperson Zygmont stated that Council hasn't received copies of the feedback from the both Planning Commissions. Solicitor Meyer stated that these Planning Commission meetings were held a while ago. Bruce Nicholson, Esq., representative of the Applicant, stated that the Borough Planning Commission recommended approval of the zoning change at the meeting held the first Tuesday in September. Solicitor Meyer agreed that this was what happened and stated that the minutes from the meeting should reflect their final decision. Councilperson Zygmont explained that the last piece of information she received from the County Planning Commission was in February. Solicitor Meyer verified that it is advisory only. Bruce Nicholson added that the only letter he was aware of from the Planning Commission has been taken into consideration, on some level, with the current plan. Solicitor Meyer stated that the law stated that when you change a property then you need to notify the property owners so many feet nearby but when you rezone the entire district it is not necessary to individually notify everyone. Therefore this item would be advertised in the newspaper. He reiterated that to adopt the amendment to HI it would not be necessary to post the property or notify residents but for the conditional use the residents will be notified and the property would be posted. John Zygmont, South York Road, asked if all of Council agrees with not notifying the residents. Councilperson Zygmont stated that this project is different because the area will be affected. Councilperson Vasoli stated that this has been discussed for a long time now and in his opinion it is not necessary to send out letters. Additionally, the applicant has held meetings about this. COUNCILPERSON STRANG asked exactly what the public was looking for. Mr. Demcisak said it would be a letter so that they know what the impact of this could be on the neighborhood. VICE PRESIDENT TAGGART said if they want a letter then to just send them a letter. Councilperson Zygmont suggested included all of the dates of the meetings and sending it to all of N-2. Bruce Nicholson pointed out that this is not something new as it has been going on since 2003 but he certainly has no problem with a letter going out. Councilperson Zygmont requested the minutes or comments from the planning commission. She asked if there would be a more extensive traffic study. Bruce Nicholson stated that he is hoping that it will be completed by next week. Bruce Hart, Earl Lane, stated that he has neighbors that don't know anything about Stoveworks. Councilperson Vasoli explained that his neighbors are in N-2 therefore they would receive the letter. Barbara LaSorsa, resident, asked when this plan would be given to the school board. Councilperson Vasoli explained that the Superintendent should have received copies and the Applicant is meeting with the School Board regarding the tax increment financing. John Demcisak asked if they gave a copy of the proposed change of the zoning ordinance to the school board. Councilperson Vasoli stated that he would check and if not, he would send it. Bruce Nicholson explained that he is unaware of the conversations between the Applicant and the School

Board. Councilperson Vasoli asked Borough Manager Pantano to give a copy of the proposed change of the zoning ordinance to the School Board and the Superintendent. Nancy Guest, Academy Road, asked if there has been a formal TIF proposal to Council. Councilperson Vasoli said they have not received a formal TIF proposal. Bruce Nicholson stated that he does not know the status of his client's conversations on Tax Increment Financing. Bill Tompkins stated that at the last planning commission meeting, the members determined that that property and the properties across the street were blighted areas, therefore certified as redevelopment areas. Councilperson Vasoli explained that the blight certification is a requirement by statute and the Borough Planning Commission is not considered advisory for this. This is required to do the TIF, however, the taxing authority (School Board, County, and Council) are the only people who can actually accept the Tax Increment Financing. He added that the Applicant has made it clear that they will apply for the TIF. John Demcisak stated that if there was no TIF relief then there would be really hefty real estate taxes from this project. He added that they shouldn't need TIF relief if it is as marketable as they say it is. Councilperson Vasoli reread the Monday, October 24th Resolution again and made a MOTION to approve this resolution. This motion was SECONDED by Councilperson Strang. With a vote of 4-1 having Councilperson Zygmont voting no because she did not have enough information before she voted on it, this motion was APPROVED. Councilperson Vasoli reread the Thursday, November 10th Resolution again and made a MOTION to approve this resolution. This motion was SECONDED by Councilperson Acker. With a vote of 4-1 having Councilperson Zygmont voting no for the same reasons this motion was APPROVED.

PRIVILEGE OF THE FLOOR

Ron Battis asked if the Borough could promise that the **basketball courts** will be taken care of next year if the Borough can not afford this item this year. BOROUGH MANAGER PANTANO stated that it can't disappear because it's a grant.

Ed Moll, Academy Road, asked if the year to date **budget** is available. BOROUGH MANAGER PANTANO stated that all of September's data is not entered as it was just approved tonight. He expects that within the next week the numbers for the end of the third quarter would be in. Councilperson Zygmont asked if the budget numbers would be from October or September. Borough Manager Pantano said September.

Nancy Barr, Wood Street, stated that she is present because of the **trees** along the creek bed. She added that Councilperson Acker and Borough Manager Pantano went out to the site. She then contacted the Recorder of Deeds and they informed her that Wood Street, in order to be a legal street, had to be forty-feet. If they fall within the forty-feet then they are the Borough's responsibility. SOLICITOR MEYER stated that they have been doing research on it and they looked at the state statute regarding Shade Tree Commission and the Hatboro Shade Tree Commission. The road is indeed forty-feet wide and the portion in front of Ms. Barr's house is eighteen-feet wide. Solicitor Meyer has prepared a legal opinion including the fact that the Borough in the past has trimmed that tree therefore it's the Borough's responsibility to trim or remove the tree. He added that it's a large tree and the complexity of it's size combined with the wires running through make him wonder if an independent contractor will be obtained to do the work.

Bill Tompkins asked what the time table is for the **budget**. COUNCILPERSON STRANG said it would be presented right before Christmas.

A resident asked about the $9,000 invoice from **Reed Smith**. COUNCILPERSON ZYGMONT stated that the itemized bill was received and it was for services in June. She asked if that was a public document. SOLICITOR MEYER explained that if it was paid for with taxpayer money then it was considered public. If there is something private on it, however, then their solicitor needed to advise them of such. BOROUGH MANAGER PANTANO stated that the bill was for several meetings and preparation for the unfair labor practice hearings. He added that the dates, times, and hours that were included on the bill were itemized. SOLICITOR RUDOLF stated that although there were no bargaining sessions face to face with the union, there were meetings to prepare

witnesses for two hearings that were scheduled as well as preparation for documents and other meetings relating to negotiations in which Mr. Brock and the Teamsters were not present. The resident asked if it was a public record and if so if it would be available on the website or in Borough Hall. Borough Manager Pantano said he believed it was public and it would be available in Borough Hall.

A resident asked about the collection of **commingled plastics**. COUNCILPERSON ACKER explained that the residents will get a notice explaining recycling everything, including plastics, paper and cardboard, once per week.

Joe Brock, **Teamsters Local 830**, took the opportunity to express their deepest sympathies for the lives lost and families impacted throughout the devastation from Hurricanes Katrina and Rita. This reminded him of a situation, while not on the same scale as the Gulf Coast that happened in Hatboro. He read the citation issued by the Borough in 1999. This was issued to Brent Sine during Hurricane Floyd. He added that Brent Sine was terminated by the Borough of Hatboro for joining the union of his choice, but reminded everyone of the character revealed by him compared to the character revealed by this Borough Council and Borough Manager Pantano who railroaded his employee.

FIRE CHIEF ZOLLERS reminded everyone that October is **Fire Prevention month** and reminded everyone to change the batteries in their smoke detectors and carbon monoxide detectors. He asked that the Fire Company Association in Montgomery County has requested that all firehouses be open on October 8th and 9th from 8-4 to receive any monetary **donations, which** would be sent directly to the emergency services in the regions impacted by Hurricanes Rita and Katrina. They can only receive monetary donations. There is an account set up with Commerce Bank but they are not sure who to write checks out to. On the October 15th there will be an **Open House** held for Fire Prevention week. There will be a **Beef & Beef costume party** held at the Blair Mill Inn and costumes are optional. There have been prizes donated for the best costumes, etc. On October 31st Whitpain Township is hosting a **golf outing** at North Hills Country Club. Registration is available at the firehouse and at Borough Hall.

Ed Moll stated that the announcement for the meetings has not been in the **Intelligencer** for two months. He also asked how timely the minutes could be expected to be on the **website** because the July minutes are still not on the site. Lynn Hartzell stated that the July minutes will be added if they are not on there already. Mr. Moll said there needs to be some kind of expectation set. COUNCILPERSON ACKER suggested that the minutes be placed on the site within thirty-days from when they are approved. Lynn Hartzell explained that they are usually on there faster; this incident was an accident, an oversight.

COUNCILPERSON ZYGMONT asked if they would be getting more **committee meeting minutes**. Lynn Hartzell said yes.

CHIEF GARDNER stated that Sergeant Goold would be out therefore anything for the **community channel** should be submitted soon. COUNCILPERSON ZYGMONT asked if Chief Gardner could check with Sergeant Goold to find out who else can take over in case there is an emergency.

Mr. Phillips, Wood Street, stated that **Wood Street** has not been repaved in fifteen to twenty years. He asked if it could be considered for repaving next year.

Bill Tompkins stated that no one knows about the **curb markers** and the **pavers**. He asked if it's the Engineer's responsibility to let the Borough know or if someone in the Borough should have known that. BOROUGH MANAGER PANTANO stated that they have been doing these projects for many years and he does not know what made them include the pavers. It was a decision made somewhere along the line that the Borough was not informed of and they will certainly find out how and why it occurred and it won't happen again.

Rich Lefebvre, Enterprise Fire Company, asked if Council has discussed **renaming Miller Meadow**. VICE PRESIDENT TAGGART said it has not been discussed but he would put it on the committee meeting for next month.

John Demcisak stated that he would like to share observations from the devastation in the Gulf with anyone planning on preparing an **emergency plan** for Hatboro.

Merrie Keller stated that the 2005 budget posed no tax increase amongst the taxpayers and she requested that this Council have the same courtesy with the **2006 budget**. COUNCILPERSON STRANG said that is his objective. Merrie Keller said good and told him to keep it at zero.

ADJOURNMENT and EXECUTIVE SESSION

VICE PRESIDENT TAGGART then adjourned the September Council meeting. He stated that there would be a short executive session after the meeting to discuss **personnel matters**.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Lynn Hartzell

BOROUGH OF HATBORO

COUNCIL MEETING

MONDAY, OCTOBER 24, 2005

PRESENT
Vice President Taggart, Councilpersons Acker, Strang, Vasoli and Zygmont, Mayor Celano, Borough Manager Pantano, Borough Solicitor Meyer, Treasurer McKean, Fire Marshal Stauch, Chief Gardner, Fire Chief Zollers, Code Enforcement Officer Heller and Borough Engineer Dougherty.

CALL TO ORDER
VICE PRESIDENT TAGGART called the meeting of the Council of the Borough of Hatboro to order at 6:03 p.m.

MINUTES
VICE PRESIDENT TAGGART stated that Council is in receipt of the minutes of the September 26, 2005 Council meeting. COUNCILPERSON ZYGMONT stated she had two changes to the minutes. COUNCILPERSON ZYGMONT requested that the date be changed from July to August 22nd and the wording Councilperson Zygmont voting no because she did not have enough information be changed. This motion was SECONDED by COUNCILPERSON VASOLI and APPROVED by Council unanimously.

PRESIDENT'S REPORT
VICE PRESIDENT TAGGART stated that council is in receipt of resignation letters from COUNCILPERSON PLUNKETT and COUNCILPERSON CLARK.

VICE PRESIDENT TAGGART made a MOTION to accept the resignation of Councilperson Plunkett. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

VICE PRESIDENT TAGGART made a MOTION to accept the resignation of Councilperson Clark. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

Mr. Bill Tomkins, 161 Spring Avenue stated that since these items were not on previous agendas he would like to know what the dates of the resignations were. VICE PRESIDENT TAGGART stated they are effective tonight, they cannot be effective until council votes on the matter. Mr. Tompkins asked what would happen if the full council resigned and there was not a quorum to vote on the resignations. VICE PRESIDENT TAGGART told him that he did not have an answer and they would have to burn that bridge when they got there. VICE PRESIDENT TAGGART stated that resignations do not become in effect until acted on by government and there is case law to substantiate this.

VICE PRESIDENT TAGGART stated that another item that must be done tonight but also not on the agenda is COUNCIL has to vote for a member to fill the remaining term of Dr. Clark as council

president. VICE PRESIDENT TAGGART opened the floor for nominations for the position of PRESIDENT OF BOROUGH COUNCIL.

COUNCILPERSON ACKER made a MOTION to nominate VICE PRESIDENT TAGGART as PRESIDENT OF BOROUGH COUNCIL. This MOTION was SECONDED by COUNCILPERSON VASOLI and APPROVED by Council unanimously.

PRESIDENT TAGGART stated that Council must now vote for a member to fill his remaining term as VICE PRESIDENT OF BOROUGH COUNCIL.

COUNCILPERSON ACKER made a MOTION to nominate COUNCILPERSON STRANG as VICE PRESIDENT OF BOROUGH COUNCIL. This MOTION was SECONDED by COUNCILPERSON VASOLI and APPROVED by Council unanimously.

BOROUGH MANAGER'S REPORT

BOROUGH MANAGER PANTANO reported on the 2005 Paving Project II, after several discussions with council members, it has been decided by Council not to award this contract. There were several reasons why not to proceed with this, primarily the work is in the area of school bus routes, an area where there are a lot of kids who are crossing streets and walking to school. Also it is close to the end of the year and there were concerns about fitting this project in around the weather. It was the general consensus of council members to put this project off to next year.

BOROUGH MANAGER PANTANO reported on the Warminster Road paving, the road has now been paved, Upper Moreland Township did do a good job. For councils' information the check was received from the state for the Warminster Road project, it was in the amount of $10,000.

COUNCILPERSON ZYGMONT asked if Warminster Road paving will be coming from the bond issue, BOROUGH MANAGER PANTANO stated yes.

BOROUGH MANAGER PANTANO reported on the Planning and Zoning Grant, the draft zoning ordinance has been completed and is in the process of being reviewed by the necessary entities. When the revisions are completed Council must go through the process of adopting the ordinance. This will include additional public hearings by the planning commission and then again before Council for final consideration. This process would be very similar to the revitalization plan process. All comments will be forwarded to the council and as well as the public.

COUNCILPERSON ZYGMONT asked why were we moving ahead with the subdivision land development ordinance when there has been no information received from the planning commission. BOROUGH MANAGER PANTANO stated that this is two different issues, the subdivision land development ordinance is separate from the Zoning Ordinance. They were intended to be done in conjunction with each other from the beginning. COUNCILPERSON ZYGMONT asked if there were any changes to the Zoning Ordinance that have not been discussed by full council and will this affect the subdivision land development ordinance. BOROUGH MANAGER PANTANO stated that this was possible and there could be some overlapping changes but since this is in the early stages of the land development ordinance it could be months before this is discussed. There should be no problems. COUNCILPERSON ZYGMONT asked if Paul Driscoll was working on the comparison between the old zoning and new zoning ordinance. BOROUGH MANAGER PANTANO stated yes, he has not received anything yet but is aware that

he is working on it.

BOROUGH MANAGER PANTANO updated Council on the pool grant. The Borough still has not received any response as of yet to the strings attached reports that were required for the pool grant. The funding comes from the federal government, but one of the issues was the requirement to receive proposals for the design work. Although we know this was done prior to contracting with Wade Associates, the only documentation we could find to date is a letter to Wade Associates requesting a proposal and the outline of the proposal requirements. BOROUGH MANAGER PANTANO stated hopefully this would be sufficient information for the federal government.

BOROUGH MANAGER PANTANO advised Council that there will be a Liquid Fuels Audit scheduled for November 3rd. He has reviewed the paperwork requirements and does not expect to have any problems.

BOROUGH MANAGER PANTANO stated he has been contacted by the Township Manager from Upper Moreland Township with regards to the reauthorizing of the Sewer Authority for an additional year. BOROUGH MANAGER PANTANO stated that we should be consistent with Upper Moreland Township who has authorized the sewer authority for one year. BOROUGH MANAGER PANTANO stated this has been discussed before, he contacted the Borough Solicitor who will be preparing the proper documents and advertising, since this has to be done by Ordinance. This will be discussed at the Committee Meeting.

COUNCILPERSON ZYGMONT asked if Borough Manager Pantano knew why Upper Moreland Township was only reauthorizing the sewer authority for one year. BOROUGH MANAGER PANTANO stated he has not talked to any of the Commissioners only the Township Manager.

BOROUGH MANAGER PANTANO stated that he received the contract documents for the County Revitalization Grant, these documents have been signed and returned to the County. This grant will be used as a match from the Hometown Safe Routes to school grant.

BOROUGH MANAGER PANTANO stated that he has been in contact with the Borough Engineer over the types of trees and the location of plantings in Miller Meadow. There was also a discussion at the Committee meeting over several other ideas for this property ranging from a plaque to a meditation garden. BOROUGH MANAGER PANTANO stated he would put Rich Lefebvre or any other representative from the Fire Company in touch with the landscape architect from Gilmore Associates for further discussions.

COUNCILPERSON ZYGMONT asked if she could get a copy of the Revitalization Grants' narrative. BOROUGH MANAGER PANTANO stated he would get a copy for her. He stated it was the same thing that was presented by the engineers at the committee meeting.

PRIVILEGE OF THE FLOOR

Mr. Bill Tompkins, 161 Spring Avenue stated that since the paving project is not going forward this year, he has heard from several of his neighbors on West Lehman Avenue and Harding Avenue about the spray painting. Mr. Tompkins asked if the spray paint could be removed. BOROUGH MANAGER PANTANO stated that the paint would wash off in a couple of rainstorms. The paint is the same paint that is used by Pennsylvania One Call and the Code Enforcement Office.

Mr. Ron Battis 320 West Moreland Avenue stated that for the 19th time the kid's basketball courts were not going to be paved. The Borough received a $15,000 grant for this work. Mr. Battis stated the project was put out to bid in the spring and the Borough could not make that work, now the Borough is saying it cannot be done because it is in a school zone and he cannot understand this because the Borough has plenty of guards around. Mr. Battis stated that this was ridiculous. BOROUGH MANAGER PANTANO stated that it was ridiculous because Mr. Battis did not know what he was talking about. BOROUGH MANAGER PANTANO reiterated that it was ridiculous because Mr. Battis did not understand the facts involved. BOROUGH MANAGER PANTANO asked Mr. Battis to give him the opportunity to explain the process and what happened before, when the grant was received, it was put forward and started the specifications as soon as possible. The grant was put out on the street and ridiculous prices were received. BOROUGH MANAGER PANTANO asked Mr. Battis if he recalled this happening. Mr. Battis stated yes and he had to call Gilmore to find out the prices and how high they were because BOROUGH MANAGER PANTANO'S staff did not know. Mr. Battis stated that if you can use bond issue money for other projects then you can find $15,000 to pave three basketball courts for the kids. Mr. Battis stated that this project keeps getting put off and the courts are not safe. Mr. Battis stated there are all kinds of ruts in the courts and they are just not safe and should be closed and it is just a lack of incompetence and is ridiculous. BOROUGH MANAGER PANTANO stated that this was Mr. Battis's opinion and it just shows that he does not know what he is talking about. Mr. Battis stated he would not be told that he did not know what he was talking about by a nincompoop. BOROUGH MANAGER PANTANO told Mr. Battis he did not appreciate him standing there telling the audience that the staff was incompetent and the staff has done everything they possibly could do. Mr. Battis stated that there is money available in this budget to do this work and that is not asking for much. If there is money to redo the front of the Borough Hall then the three basketball courts for the kids could be done. COUNCILMAN ACKER told Mr. Battis that Council wanted to do this project and originally got the $15,000 grant and wanted to get the best price for all that was included. When the original bids came in it was twice the amount. COUNCILPERSON ACKER stated that after some discussion it was decided that this project was not a winter project and should be incorporated in the 2006 budget and done in the spring. Mr. Battis cannot understand why Councilperson Zygmont can find money for perennials then why can't the money be found for this project.

Mr. Bill Tompkins, 161 Spring Avenue stated that if Council is proposing to do this paving project in the early spring you run into the school issue still, if you wait for school to be over then you run into a basketball season and the pool is across the street from the basketball courts. PRESIDENT TAGGART stated the pool should not be a problem because there is no paving there.

Mrs. Merrie Keller, 110 West Monument Avenue stated she was understanding that there were ruts in the basketball courts. If someone is playing and they get hurt on these ruts and break a leg what happens. Mrs. Keller asked could it be more expensive in the long run. Mrs. Keller asked when was the last time the basketball courts were maintained. Mrs. Keller stated there is not a lot in the Borough for the kids, there is a pool and two parks which are in a run down condition. PRESIDENT TAGGART stated that he appreciates her concern and understands what she is saying but the Council is trying to not raise taxes. They got the grant for $15,000 to do the basketball courts, they put it out to bid and tried to do it in conjunction with a large paving project, by doing it this way may have saved the borough money. Mrs. Keller asked Council to rebid this project as a small job, PRESIDENT TAGGART stated they did and the bids received were $30,000. Mrs. Keller reminded Council that every year that this is not done the black top continues to deteriorate.

PRESIDENT TAGGART told Mrs. Keller that they are trying to get this done when it does not impact the Borough and the children. Mrs. Keller stated she does not understand the entire process but she thinks that the basketball courts will be a lot nicer and a lot better for our kids than a new sign directing people to HATBORO. COUNCILPERSON ZYGMONT told Mrs. Keller that perhaps in January this project can be looked at and out to bid early and the job done once the weather gets nice. Mrs. Keller stated that the basketball courts seem to be discussed meeting after meeting year after year.

Mrs. Marion Demcisak, 225 East Monument Avenue stated that she would like to know why East Moreland Avenue is being paved in the area of Jacksonville Road when there was nothing wrong with that part of the roadway. Mrs. Demcisak stated that she had two questions, one she would like to know why this road was paved and if it needed to be put with another project then why pick that road. PRESIDENT TAGGART stated this was part of a Community Block Development Grant. PRESIDENT TAGGART also stated that the Borough is trying to maintain roads. Moreland Avenue between York and Jacksonville needed to be paved, a lot of traffic utilizes that road. Mrs. Demcisak also stated that Warminster Road and Jacksonville Road also needed to be paved, they are also high traffic roads but she thought that East Montgomery and East Moreland Avenues take a little traffic and there was really no damage to these roads. Mrs. Demcisak stated that we paid for this through the water authority to pave this area sometime in the last 10 years and we are still paying for it by selling the water authority. Mrs. Demcisak stated her point is the Borough is paving a road that does not need it and not paving others that do.

Mr. Ed Henry, 238 Bonair Avenue asked if Council is accepting resumes for the open vacancies on Council and for how long. PRESIDENT TAGGART stated yes they are accepting resumes but he was hoping to wait until after the election this way the voters can pick the replacements. PRESIDENT TAGGART would like to see someone get sworn in early. PRESIDENT TAGGART stated that all resumes received are from candidates for Council in the upcoming election. Mr. Henry stated the plan would be for the two vacant seats to be filled a month and a half early. PRESIDENT TAGGART stated yes.

Mr. John Demcisak, 225 East Monument Avenue stated he wanted to correct the record, he is not a candidate for council, he has already spent 12 years on Council and he did submit a resume for the vacancy on Council. COUNCILPERSON ZYGMONT stated that she never received his resume. Mr. Demcisak stated that he submitted it a while ago. COUNCILPERSON ZYGMONT asked whom he sent it to. Mr. Demcisak stated he delivered a copy to Borough Hall and he mailed a copy to Dr. Clark. Mr. Demcisak stated he made a point in making the office staff aware that he was submitting a resume. Mr. Demcisak asked Borough Manager Pantano if he has seen it. BOROUGH MANAGER PANTANO stated that as far as he knew everything that came into the office went out to Council. Mr. Demcisak stated his only point was he had 12 years experience, he is not running for election and if they needed someone to fill the spot for the interim he was interested.

PRESIDENT TAGGART stated that the atmosphere is politically charged and in all fairness of the candidates and people of HATBORO since the election is so close, he feels by doing it this way it would let the people pick the replacements for council and PRESIDENT TAGGART feels this is the best way to do this, it is within the time constraints and it seems the fairest way to do it.

Mr. Tom Jorett, 14 Home Road asked President Taggart since he feels that the voters should pick

the next council then why not apply the same logic with the Stoveworks project and wait until the election is over to decide about this issue. PRESIDENT TAGGART stated that this is two different issues. PRESIDENT TAGGART stated the developer has a right to have his case heard and that is what is going to be done at this meeting and that is why everyone is here. PRESIDENT TAGGART advised Mr. Jorett that the Borough Council sitting in this room tonight are still the elected officials and still have a job to do until the end of the year. COUNCILPERSON ZYGMONT advised Mr. Jorett that she voted no for having this hearing tonight because her questions were still not answered yet.

TREASURER'S REPORT

TREASURER MCKEAN reported that as of 9/30/05 the balances invested in Commerce Bank totaled $6,918,060.79. Interest credited for the month was $21,693.51. Average yield for September was 3.87%.

PAYMENT OF BILLS

PRESIDENT TAGGART stated that Council is in receipt of the **warrant list and manual check list**. PRESIDENT TAGGART made a MOTION to approve the warrant list and manual check list. This motion was SECONDED by COUNCILPERSON ACKER. COUNCILPERSON ZYGMONT questioned **Frank's Top Notch Tree Service**, was that for the trees on Wood Street. BOROUGH MANAGER PANTANO stated yes. COUNCILPERSON ZYGMONT questioned the **Gilmore Bill** for August for the "04" CDBG grant and why it was taken out of the operating account but yet the July bill for the same grant was taken from the bond issue and she did not understand why. BOROUGH MANAGER PANTANO stated he would have to look into that. BOROUGH MANAGER PANTANO stated that this year's CDBG grant money comes from the bond issue and last year's from the authority. COUNCILPERSON ZYGMONT stated both bills are for the same year. BOROUGH MANAGER PANTANO stated he reviews those bills and sometimes it is not coded correctly or it is confusing, sometimes it is for 2004 but for 2005 construction. BOROUGH MANAGER PANTANO stated he would check on this.

COUNCILPERSON ZYGMONT questioned the Storm water Phase II and what was happening with this. BOROUGH MANAGER PANTANO stated there are reports that need to be filed each year and Gilmore is working on those reports. BOROUGH ENGINEER DOUGHERTY stated that this is the NPDES, 25% OF THE 2ND YEAR screening. COUNCILPERSON ZYGMONT asked if she could have copies of this information. BOROUGH ENGINEER DOUGHERTY stated he would forward her the information when he has it completed.

COUNCILPERSON ACKER asked about the **GranTurk** bill for the rear packer, slide pin for #16. SUPERINTENDENT STAUCH stated that the back end of Truck #16 fell off because of the pin. COUNCILPERSON ACKER asked if that was needed to get the vehicle back in operation. SUPERINTENDENT STAUCH stated yes, he spoke with BOROUGH MANAGER PANTANO and this is one of the primary trash trucks and it was necessary to have this fixed as soon as possible.

This motion was APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO reported he received a call from CHIEF GARDNER to come to the police department on Tuesday, October 25, 2005 at 10:00 a.m. to swear in the newest member of the

police department. MAYOR CELANO told all that his number one priority on his list is our police department and he loves his police department.

SOLICITOR'S REPORT

SOLICITOR MEYER signed the stipulation with the **First Union Bank** regarding the tax assessment appeal.

SOLICITOR MEYER amended the draft of the **solid waste ordinance.**

SOLICITOR MEYER responded to a request by the Chief of Police on the **right to know information** with regards to the police logs and met with the Chief and complied with the request.

SOLICITOR MEYER stated he was in receipt of appellants brief on the **curative amendment matte**r. He stated he has 30 days to prepare and file an answer.

Mr. Ed Henry, 238 Bonair Avenue asked PRESIDENT TAGGART to please ask the audience to turn off or silence their cellphones.

CHIEF'S REPORT

CHIEF GARDNER wanted to update Council on the mobile data terminal project that Montgomery County Department of Public Safety is implementing. This program is for the computers that are in the police cars. The county anticipates moving forward no later than March of 2006 for the switch over. They are now trying to piggyback on the state police system which is much more reliable. The county has indicated to the police department that they can purchase the equipment which is now just laptops only. CHIEF GARDNER would like to wait in purchasing this equipment until he has something in writing outlining the specifics of the system. Originally the county was not supplying the modems, they now are which will be a cost savings. CHIEF GARDNER stated there is grant money set aside for this project.

COUNCILPERSON ZYGMONT asked if the county has provided an estimate of costs for the project. CHIEF GARDNER stated when they originally figured the grant a couple of years ago there was money from a DCED grant and money from the district attorney's office and at that time it was mid 20's but at that time was to include the modems. But now that is not necessary since the county has secured the funding for the modems. The only expense now is the laptop's, software and mounting costs for installation in the vehicles. COUNCILPERSON STRANG asked if that money is set aside, CHIEF GARDNER STATED YES.

FIRE MARSHALL STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH submitted a report in advance.

FIRE MARSHALL STAUCH reported that Montgomery County was hosting a Citizen Corps on Saturday, November 12, 2005 at the Montgomery County Fire Academy from 8:30 to 3:00. All interested need to RSVP by November 1st. This event is being hosted by the Montgomery County Department of Public Safety and voluntary organizations active in disaster. The county is hosting a day of free training and demonstrations. By attending the training session citizens can become a Montgomery County Citizen Corps volunteer and learn how to assist their community after a disaster strikes. By attending the demonstration portion citizens can learn what emergency

management is doing to make their community/neighborhoods safer.

FIRE MARSHALL STAUCH reported he has flyers available at this meeting and also at Borough Hall for all who are interested.

FIRE MARSHALL STAUCH also stated that FIRE CHIEF ZOLLERS, POLICE CHIEF GARDNER and himself are all in favor of this program.

FIRE MARSHALL STAUCH also stated that the emergency management team for the Borough is looking for volunteers for mass care. If anyone is interested in volunteering to assist mass care in the event of an emergency to please call Borough Hall.

COUNCIL/COMMITTEE REPORTS

ADMINISTRATION REPORT - MR. TAGGART
PRESIDENT TAGGART made a motion to approve the **Authority bills** in the amount of $893.35 total for the Southern Gateway Revitalization and Moreland Avenue CDBG. This motion was seconded by COUNCILPERSON VASOLI and was approved by Council unanimously.

PRESIDENT TAGGART made a motion to **appoint new police officer** - Christopher Murphy to the Hatboro Police Department. This motion was seconded by COUNCILPERSON ACKER and was approved by council unanimously. COUNCILPERSON ZYGMONT asked whom he was replacing. PRESIDENT TAGGART stated retired Sergeant Robert Hegele.

BUDGET & INSURANCE - VICE PRESIDENT STRANG
VICE PRESIDENT STRANG stated that he had nothing on his agenda to report.

PARKS, RECREATION & COMMUNITY RELATIONS - MR. VASOLI
COUNCILPERSON VASOLI stated that he had nothing on his agenda to report.

HEALTH AND ENVIRONMENT - MRS. ZYGMONT
COUNCILPERSON ZYGMONT stated that she had nothing on her agenda to report.

PUBLIC SAFETY - PRESIDENT TAGGART
PRESIDENT TAGGART stated that he had nothing on his agenda to report.

PUBLIC WORKS & PUBLIC PROPERTIES - MR. ACKER
COUNCILPERSON ACKER asked SOLICITOR MEYER if council needed to make a motion even though the project is not going to be done. SOLICITOR MEYER stated no. COUNCILPERSON ACKER stated then it is just an announcement that Borough Council is not proceeding with the project at this time.

TRASH ORDINANCE #962
COUNCILPERSON ACKER stated at the last committee meeting this ordinance was discussed and the solid waste collection regulations and some clarification of definitions were needed on cardboard and plastic and BOROUGH SOLICITOR re-did the amendment and these definitions have now been inserted into the ordinance. This is for the new recycling program that should be in place by the end of the year and will incorporate plastics and also change the method recyclables are

collected, with the new program all recyclables will be picked up at the same time with the new recycling truck.

COUNCILPERSON ACKER asked COUNCILPERSON ZYGMONT if she had a chance to review the changes since she had concerns at the committee meeting. She stated she did review the changes and thanked both COUNCILPERSON ACKER and BOROUGH SOLICITOR MEYER for their assistance. COUNCILPERSON ZYGMONT stated that newspapers will have to be separate and plastics, glass and other recyclables can be commingled and will be collected on the same recycling day. For plastics, acceptable plastics will have a triangle symbol imprinted. Currently the Borough collects newspaper on a separate day from glass and can recycling. COUNCILPERSON ACKER stated residents will be receiving notification about the new program prior to the new truck going into service. COUNCILPERSON ACKER believes this will be a great program and the residents will be pleased.

Mr. Tompkins. 161 Spring Avenue asked COUNCILPERSON ACKER since there was a big audience in attendance tonight maybe Council should review the economics and why it is saving the borough money.

COUNCILPERSON ACKER stated recycling is a two-fold benefit to the Borough. First and foremost is ecology, the more you recycle the more that stays out of the environment. The second is the more that the Borough removes from trash tonnage the cheaper the disposal fee is. The Borough wants to encourage all residents in the Borough to recycle.

COUNCILPERSON ACKER stated flyers will be sent to everyone's home explaining the program. COUNCILPERSON ACKER asked SUPERINTENDENT STAUCH when he expects the truck on the road. SUPERINTENDENT STAUCH stated hopefully by November 1st.

COUNCILPERSON ACKER made a motion to approve the Trash Ordinance #962. This motion was seconded by COUNCILPERSON VASOLI and was approved by Council unanimously.

COUNCILPERSON ACKER made a motion to approve the PennDot casting agreement resolution #2005-08. This motion was seconded by COUNCILPERSON VASOLI and was approved by Council unanimously.

ZONING, DEVELOPMENT & HISTORICAL PRESERVATION - Mr. Vasoli
COUNCILPERSON VASOLI stated there will be a Zoning Amendment hearing immediately following at 7:00 p.m.

OLD BUSINESS
Mrs. Merrie Keller, 110 West Monument Avenue stated that she was not sure if her question was old business or new business in regards to the basketball court issue. Mrs. Keller asked if Borough Council is considering spending $7,800 on the Southern Gateway signage, which PRESIDENT TAGGART advised Mrs. Keller is grant money and Mrs. Keller asked since it was grant money what was the Borough match. COUNCILPERSON VASOLI stated it was 10%. Borough Council adopted a resolution which gave them an extra 5%. Mrs. Keller asked if this was for a new sign and new trees in Miller Swamp. COUNCILPERSON ZYGMONT answered it was for engineering fees for that grant project. Mrs. Keller would like Council to just take that money and put it into the basketball courts.

NEW BUSINESS

PRIVILEGE OF THE FLOOR

Mr. Bill Tompkins, 161 Spring Avenue stated there have been council persons substituting on the various committees, is Council going to make a new committee assignments or wait. PRESIDENT TAGGART stated that Council will wait for the new appointments to Council.

Mr. Tom Jorret, 14 Home Road asked about the renaming of Miller Meadow. Mr. Jorret felt that since John Kulick was associated with the Enterprise Fire Company than perhaps a more fitting memorial to him would be better associated with the Fire Company, perhaps maybe renaming the fire house John Kulick Hatboro Memorial Fire Company, this only requires approval by the Fire Company and not Borough Council. Miller Meadow could remain the same name. The firehouse and the fire trucks are not owned by the Borough. PRESIDENT TAGGART stated that the fire company equipment and fire house is deeded Enterprise Fire Company but is owned by the Borough. Anything that is acquired as a result of tax money is money held in public trust. Mr. Jorret asked if the fire company wants to rename the firehouse then they could without council's approval. PRESIDENT TAGGART stated that this was discussed at the October Committee Meeting and at that time it was decided that Council was not going to rename Miller Meadow but plant a tree in Miller Meadow in John's memory. Mr. Jorret feels that a memorial should be done by the fire company at the firehouse. PRESIDENT TAGGART stated that if the fire company wants to do something over and above what was previously discussed that is up to them. PRESIDENT TAGGART stated Borough Council would like to plant a tree in Miller Meadow as requested by the fire company in honor of John Kulick. PRESIDENT TAGGART reiterated to Mr. Jorret that the meadow is not going to be renamed just at the recommendation of Council to plant a tree somewhere in Miller Meadow.

Mr. Joseph Brock, Teamsters Local 830
Mr. Brock congratulated PRESIDENT TAGGART on his appointment as Council President and all things considered Mr. Brock felt his new title was quite an accomplishment. Mr. Brock stated that it has been three years and 11 months since the Borough Public Works Department employees have had an increase in wages. Council has seen fit over this period of time to waste more than $250,000 in legal fees at a cost to the taxpayers which could have been saved by just settling the contract. By reaching an agreement money could have been used for basketball courts instead of giving the money to a sleazy attorney. Mr. Brock reminded PRESIDENT TAGGART that earlier in the meeting he indicated he wanted to do the right thing for the remainder of his term, could he do the right thing by his Public Works employees. It will be four years without a raise and they are not going five years without a raise, could PRESIDENT TAGGART during the rest of his term please do the right thing and sit down and come back to the table and negotiate a fair contract instead of wasting taxpayers' money. PRESIDENT TAGGART told Mr. Brock to call him tomorrow and Mr. Brock can name the time and place and PRESIDENT TAGGART would sit down with him. Mr. Brock asked if Friday was good and PRESIDENT TAGGART stated to give him a call.

EXECUTIVE SESSION

PRESIDENT TAGGART stated there will be an executive session this coming Thursday evening, October 27, 2005 to discuss police negotiations. PRESIDENT TAGGART stated there would not be an executive session this evening.

SPECIAL ZONING AMENDMENT HEARING

PRESIDENT TAGGART recessed the meeting for five minutes for the purpose of setting up for the upcoming hearing. PRESIDENT TAGGART addressed the audience, and the purpose of this meeting is to consider a zoning ordinance change to the heavy industrial district. PRESIDENT TAGGART stated he had a statement to make to set a precedence and ground rules for the procedure of the meeting. The mission of all elected officials of this council is simple; they work together to ensure the quality of life for the Borough residents that they serve. There are issues that are brought before Council such as Zoning amendments that Council takes seriously and must give thoughtful consideration. As Council members they are charged with making decisions that effect the Borough's future. It takes more than just identification of the issues to correct positive change in the area of revitalization. Positive change provides strategic planning for revitalization districts as well as finding a workable balance between the needs of the developer and the rights of our residents. That is what it will take for procedural change in the areas of this Borough that has been identified as areas in need of redevelopment as early as 1972, which is more than 30 years of needed attention that the Borough has finally had a real opportunity to have to address. Beginning the process that a number of residents and property owners have been patiently waiting for. The rezoning of an area identified within the revitalization district is an important step and something that Council does not take lightly. PRESIDENT TAGGART is asking residents tonight to take into consideration the possible positive and negative impact of rezoning on existing residential neighborhoods that surround this area. This is a quorum for all in attendance including Council to clearly understand the changes being proposed and for Council to decide if these changes are what is needed to direct the Borough toward positive change. PRESIDENT TAGGART asked for all in attendance to respect the opinions of all who wish to speak at the meeting. PRESIDENT TAGGART stated tonight there is an application before council to amend the Zoning Ordinance of the Heavy Industrial area to include mixed use and permanent residential use. Mr. Bruce Nicholson who represents the applicant will be producing witness's regarding the proposed zoning amendment. The hearing is being videotaped by the applicant and a copy will be provided to the Borough. Everyone will have the opportunity to speak but all who wish to speak must identify themselves including name and address before addressing Council or the applicant. The meeting tonight will conclude at 10:30 PM. PRESIDENT TAGGART turned the meeting over to Mr. Bruce Nicholson, attorney for the applicant.

COUNCILPERSON ZYGMONT asked why the applicant was taping the meeting. Bruce Nicholson stated the applicant wanted a recording of the meeting. Several residents in the audience expressed their desire not to be videotaped. BOROUGH SOLICITOR MEYER stated that under the Right to Know Law and Open Records Act the Borough is entitled to make a record of the meeting, either by a stenographer, videotape, take pictures, there is no violation of any one persons right, this is a public meeting if anyone in the audience wants to take pictures or recording the law allows you to do that. The borough will receive a copy of the recording. Mr. Lou Polaneczky, 140 Spring Avenue asked that if anyone can tape any future council meetings because in the past a member of the audience used a cell phone and were told they were not permitted to do that. Also is the Borough getting a copy of this tape and will it be distributed to the residents of Hatboro. PRESIDENT TAGGART stated yes. BOROUGH SOLICITOR MEYER stated anyone can go to the Borough Hall and get a copy. Mrs. Keller stated that it is very difficult to get copies of Borough meeting minutes. PRESIDENT TAGGART stated it is not difficult to get copies of the minutes as soon as the minutes are voted on they are then available to the public.

Mr. Bruce Nicholson introduced himself to the audience. He stated he was from the law firm of

Duffy North & Wilson which is located on North York Road in Hatboro, he has been practicing law in Hatboro since 1975 and he represents the developer for the proposed Stoveworks project located on Jacksonville Road. Tonight his client is proposing an amendment to the Zoning Ordinance to add a new use in the HI Heavy Industrial District to include mixed use development. Tonight they have a power point presentation to outline the project and also to be available to answer any questions. Tonight they also have in attendance members of their team who have been working on the project and they are also available for any questions. In attendance are Nick Rose, Engineer, Mark Roth, Traffic Engineer, Wally Evans Land Planner, Jim Cassidy Architect and Steve Cassidy Developer.

Mr. Nicholson stated the history of this building dates back to 1943, it was called Robert & Mander Stove Factory and is on the National register of Historic Buildings. Their power point presentation included pictures of the site in its current condition along with pictures of the proposed development. Included in the presentation was a map of the current heavy industrial district with the proposed zoning change area highlighted. Mr. Nicholson reviewed samples of current permitted uses in the HI district. Mr. Nicholson showed the residents in attendance a current photo of the building. He stated the building is deemed as blighted property as defined under the PA urban development law. The building has been empty for more than six years. It is a fire hazard and an attractive nuisance to kids and homeless people. Residents on Bonair Avenue have to look at the back of the property. Mr. Nicholson showed the audience a picture of a loft apartment. He explained those loft apartments are known for three elements, space, light and material. Very common today for older industrial buildings to be converted into loft apartments. Stoveworks is intended to be high end housing and similar projects are commanding top money for rentals. The stoveworks project will offer spatial lofts utilizing the windows in the existing building providing a lot of light. The existing building has a lot of windows which are currently boarded up. The materials of the existing building will help to give the proposed loft apartments character. The current proposal is to convert the former stove factory into 175 apartments within the six separate buildings on the site. Mr. Nicholson stated it is the intent of the builder to utilize historic tax credits to help pay for the renovations of the building. Since the building is listed on the National Registry of Historic Structures, if the developer restores the exterior of the building in accordance with very strict requirements that are set by National Park Service which also includes restoring the windows back to their original state and recreate the exterior to the way it was built then the developer is entitled to certain tax credits based upon the amount of money he spends in the restoration, by having this program it encourages developers to restore old buildings. The project has been reviewed by the Montgomery County Planning Commission and Urban Research & Development Corporation and both agencies have recommended the change in zoning to allow this development. Mr. Nicholson reviewed the proposed layout of the property. Buildings A,B,C & D will be all apartments. Building E will be inside parking and the 2nd floor would be a fitness center which will be available to residents only. There will also be apartments in the rear of this building. Building F1/F2 will be apartments and a café, 2700 square feet, primarily intended to accommodate the residents. Access to the building would be off of Jacksonville Road and would continue around the building. Due to the need of parking there are proposed two additional lots across the street from the property. The property has been recognized as a Brownfield site, the developer is proposing to take the site through environmental remediation under PA ACT 2 of 1995. This is a process where Pennsylvania encourages cleanup and re-use of contaminated properties. It is a voluntary program to provide incentives for owners to cleanup properties. Owner who is not "responsible person". Developer will do an environmental assessment, submit plans to PA Department of Environmental Protection along with a cleanup plan, notice will also be given to the

Borough. DEP reviews the submission, and recommends approval, if DEP determines the plan as being in compliance with DEP remediation standards. Developer will clean up property in accordance with plan and when done will file a report with DEP. Upon attainment of compliance with plan, developer receives cleanup liability protection for contamination identified in reports submitted to and approved by DEP.

Mr. Nicholson discussed parking. The borough asked the developer to submit the plan for review by URDC which they did and as a result of that report the parking requirements were increased slightly. The borough was still concerned and asked a traffic engineer to look at the parking requirements. The anticipated parking demand is based on information contained in the Institute of Transportation Engineer's Parking Generation, 3rd Edition. Vehicle ownership for a low/mid rise apartment land use in suburban areas ranges from 1.0 to 1.3 per dwelling unit. The average peak demand (100% occupancy) is 1.2 vehicles per dwelling unit, which occurs from midnight to 4:00 a.m. The estimate peak parking demand for the project is 210 spaces. The plan currently indicates 234 parking spaces. When residents commute to/from work, will provide additional spaces for café. Mr. Nicholson states his client feels based on the studies there is more than enough parking for the site.

Mr. Nicholson discussed the traffic study, and he stated the Borough asked that his client do an extensive traffic study to determine the impact of traffic. The study was done by McMahon and Associates. The study area included 12 intersections. A link analysis along Jacksonville road and residential streets. The study was done without development capacity and level of service analysis. The study included trip generation, distribution and assignment. The study also included with development capacity and level of service analysis, roadway links along Jacksonville Road and residential streets. The calculations were only based on usage as an apartment complex, and they did not examine any other uses. The daily traffic study findings were approximately 1600 total daily entering and exiting and Tanner Avenue is the only residential street in the area of the project anticipated to increase in traffic by approximately 82 vehicles per day. Traffic volumes along Jacksonville Road, north of Tanner Avenue is anticipated to increase by approximately 800 vehicles per day, 13 in weekday morning peak hour and 24 in weekday afternoon peak hour.

Mr. Nicholson stated that the purpose of tonight's meeting is to ask for a change to the current HI district to allow for mixed use developments as a permitted conditional use in this area. A conditional use means you cannot just come in and submit a plan for mixed use residentially. Then the applicant must come to the Borough and submit plans which would be subject to further hearings and approval by the Council. Mixed Use development as being proposed would require four integrated uses would be multi family dwellings and a portion would have to be used for commercial development childcare, office, bank or retail/commercial, parks playground or open space could allow indoor recreation for residents only and would only be allowed on parcels of 4 acres or larger. The way the ordinance has been drafted, after many discussions/meetings with borough engineers and planners would place stringent requirements on a developer which is also more stringent than use as of right. Mr. Nicholson reviewed the current uses in HI none of the conditional use approvals would be required, mixed requirements would be different, building coverage would be less, impervious surface coverage would be less, the distance between buildings would be greater. Mixed use would provide that of existing industrial properties such as stoveworks, the density of dwelling units would be greater and the other standards would be met other than if a developer was tearing down and building new, this is done to preserve existing structures and retain historic significant structures. The alternative to using this process is to go to

the Zoning Hearing Board and prove hardship that the property cannot be used as currently zoned. In conversations with the Borough seeking the Zoning Amendment process would better serve the Borough, the applicant and to encourage other development in the HI district and also encourage redevelopment in accordance with the Borough's comprehensive plan. Mr. Nicholson also stated because it is a conditional use process the Borough has more control of the project and the transfer from HI to mixed use residential would be in the best interests of the Borough of Hatboro.

COUNCILPERSON ZYGMONT asked Mr. Nicholson to explain mixed use. Mr. Nicholson stated that within the one four acre parcel there would be a combination of uses, apartment units, café and fitness center for the residents of the complex. The developer originally asked for 5% mixed use requirement but the Borough experts asked for 15% mix which will be better for future development.

Mr. Nicholson reviewed the fiscal impact for this property. The existing property has a combined assessed real property value of $528,240. The existing property as a proposed mixed use development value of $14,688,060. The conversion to multi-tenant uses, estimated assessed real property values based on 164,064 sq. ft. of net leased floor area at an assessed market value of $35.00/sg. ft. of $5,742,405. The $35.00 was derived from data gathered of six industrial complexes converted to multi-tenant uses over 75,000 sg. ft. in Eastern Montgomery County.

Mr. Nicholson reviewed the expenses for the property, the figures presented by Wally Evans, Planner were derived by using recognized methodology. The total costs to the Borough as an existing property would be $9,460, as a multi tenant conversion it would be $29,229 and as a mixed use redevelopment it would be $86,993. The figure was calculated using 226 residents at an annual per capita cost of $385.06. The school district costs would be $0 as existing, $0 as multi tenant conversion and $187,003 as mixed use redevelopment. The figure was calculated using 14 anticipated school age children at $13,458.05 per child. Mr. Nicholson feels the costs to the Borough may be lower because once the project is developed there would be no trash to pick up or no new streets to snow plow.

Mr. Nicholson reviewed the revenue for the property to the Borough as existing would be $4,606, as multi tenant conversion $54,367 and as mixed use redevelopment $146,044. The revenue for the property to the School District as existing is $11,417, as multi tenant conversion $124,115 and as mixed use redevelopment $374,460.

Mr. Nicholson stated that the differences in cost revenues either a multi tenant conversion or a mixed use development would provide better net fiscal impacts to the Borough and the School District on an annual basis that would be the existing property. Of these two alternatives and on an annual basis the proposed mixed use development would provide $33,910 more than a multi-tenant conversion to the Borough. The proposed mixed use development would provide $63,343 more that a multi-tenant conversion to the School District. In combination, the proposed mixed use development would provide $97,253 more than a multi tenant conversion.

Lou Polaneczky, 140 Spring Avenue stated that at the meeting at the fire house the residents in attendance were told $93,000. Where did the gain of $250,000 come from? Mr. Evans stated the chart presented tonight was showing the difference between mixed use and multi tenant use. Mr. Polaneczky stated it is not showing the difference between today revenues vs. costs and with this development revenues vs. costs. Mr. Polaneczky believed the number was $93,000. Mr. Evans

stated he would have to check into that but he believes it is the difference between the mixed use and multi tenant use which is not on the chart presented tonight.

Mr. Nicholson stated that in prior discussions tax increment financing was discussed, TIF is widely used in redevelopment projects in ways that new tax revenue can be used to make a project economically viable. At this time the developer is not asking for any public assistance other than the Historic Tax credit's for this project and is not interested in any tax increment financing. He stated that the developer hoped to be able to begin underground burying of utility lines along Jacksonville Road at a cost of 2.5 million dollars which the developer cannot afford. IF the borough would be interested, this type of project could be used as leverage to do tax increment financing for this type of public improvement. Mr. Nicholson advised the audience that his client is not asking for this and if anything with TIF goes forward it would not be for the benefit of this project but for other public improvements.

Mr. Demcisak, 225 E. Monument Avenue asked if this was a recent change. Mr. Nicholson stated yes it was recent.

Mr. Nicholson stated in conclusion the developer is asking tonight for Borough Council to amend the Zoning Ordinance to add an additional allowable use as a conditional use under the HI Zoning classification of the Borough, the reason is so the Borough can move forward with the conditional use hearing on Thursday November 10, 2005 and move forward with the project for the redevelopment of the abandoned structure into high end housing development project for the Borough of Hatboro and a project that will enhance property values and enhance the corridor along Jacksonville Road.

COUNCILPERSON ZYGMONT asked out of the 234 parking spaces that are proposed how many are inside building E. Jim Cassidy, architect stated approximately 85. COUNCILPERSON ZYGMONT asked if a study has been completed to see if there is capacity. Mr. Nicholson stated the sewer authority has been contacted and there is capacity and upon payment of the $500,000 tapping fee the space will be reserved

COUNCILPERSON ACKER asked about the parking and it is a concern of his. He would like to question the studies, specifically the numbers that are derived 1.0 to 1.3 per dwelling units, he stated he is not an engineer nor does he do studies on parking he bases his information on life experiences. His life experience in today's day and age would recommend the number of vehicles to the number of licensed drivers in a household. Most married couples today have two vehicles. If they used these studies based on living in Philadelphia then he would understand. The costs to insure two vehicles in Philadelphia, the cost to pay to park, and the close proximity to everything would make him consider having only one vehicle. He would like someone representing the developer to elaborate on the figures presented since he feels that these numbers will not work in the Borough and if the numbers are wrong then it cannot be changed. Mr. Wally Evans, Land Planner replied as part of the fiscal impact analysis he had to determine the anticipated population for mixed use development, which was 226 and includes minor children. Mr. Mark Roth, McMahon Associates answered that figure is based on land uses and comes from studies done by the Institute of Traffic Engineers. Mr. Roth stated that some tenants may only have just one car and there maybe some that do not have a vehicle.

COUNCILPERSON ACKER asked about the café on site and if it would be open to the public and

residents and if there was consideration to the parking requirements for the café. Mr. Nicholson stated it is anticipated that the café will be open to the public. The café is 2700 SF which includes the kitchen, it will be small and will include breakfast and lunch only and should accommodate parking for the hours that it will be open.

COUNCILPERSON STRANG asked if the developer would be asking the Borough for any tax relief at this time. Mr. Nicholson stated not at this time. There had been previous discussion about utilizing tax increment financing to help pay for some infrastructure in connection with the project. Mr. Nicholson stated that if the Borough would like to utilize tax increment financing for streetscape improvements along Jacksonville Road for the Elm Street project, the developer would like to see that happen. COUNCILPERSON STRANG asked about the Historical Tax Relief. Mr. Nicholson stated that it was a historic tax credit that the developer could use against his federal income tax.

PRESIDENT TAGGART asked if an office use demand more parking or traffic use than residential use. Mr. Roth stated that if it was developed as office use and they evaluate the total sqare footage and the traffic will double for office use than what is currently being proposed.

PRESIDENT TAGGART asked Mr. Eric Kauffman, Traffic Engineer from Gilmore Associates if he concurred with the study submitted by McMahon Associates. Mr. Kauffman stated that he reviewed the traffic report submitted by McMahon and Gilmore did there own trip generation study using Light Industrial use and developing 3/4 of the site and the numbers reflect a heavier number for residential or mixed use development. Mr. Nicholson stated the report by Wally Evans, McMahon Associates and Gilmore Associates all appear to have similar numbers and his client is comfortable that they have adequate parking for this project.

COUNCILPERSON ZYGMONT asked about the traffic study and why a traffic light would not be proposed for Meadowbrook and Jacksonville Road. The study indicates an additional 800 cars in the area and this is where the kids walk to school. Mr. Roth stated Jacksonville Road is a state highway and in order to install a traffic signal the proper studies have to be completed and warrants would have to be met. Warrants are based on traffic volumes during peak hours. Various intersections were studied and the volumes that are coming out of Meadowbrook Avenue do not meet the minimum thresholds per the standards to have a signal. COUNCILPERSON ZYGMONT stated she looks at the worse case scenario and if there are 52 two-bedroom units with four people living in each and everyone has a car then that would be 208 people with 208 vehicles, these vehicles are leaving for the work the same time the kids are going to school and then the traffic for the café she is worried and feels the need for a traffic light.

Mr. Roth stated that even looking at the worse case scenario not. All vehicles would go the same way up to County Line Road. Mr. Roth stated vehicles coming out of Meadowbrook would trigger the warrant not vehicles traveling on Jacksonville Road. A member of the audience asked if the traffic study was done while school was in session. COUNCILPERSON ZYGMONT stated the study was dated October 2005.

COUNCILPERSON ACKER stated he would like to know if the thought was given to making the building condominiums. Why would the developer not want to sell these. Condominiums seem more permanent than apartments. Condos will attract persons of permanence. Mr. Nicholson stated that the design being used for these units does allow for condo conversion at a later date. Because

the developer is utilizing Historic Tax Credits the federal law requirements state that the developed must own the building for 5 years. Mr. Steve Cassidy, developer states that the original plan was to build them with the intent to sell after 5 years. They are using materials for sound buffering for walls and floors.

COUNCILPERSON VASOLI asked the developer if he would object to any conditions being attached to going condo in a certain number of years. Mr. Cassidy stated he would not object. COUNCILPERSON VASOLI asked is there any public improvements designed for this project. Mr. Nicholson stated about $350,000. Nick Rose, Project Engineer stated there are public improvements proposed while they are normally escrowed by the borough including parking, erosion controls and curbing. There are no improvements necessary along Jacksonville Road unless Penndot requires them nor any needed on Tanner Avenue. The streetscape would be improved. There are a significant number of internal improvements that are normally considered public improvements.

Lee Phillips, 204 Wood Street. She stated she did not know that a zoning variance could be done for this building. Why not do that so there would be less confusion on all the mixed uses along Jacksonville Road corridor. Mr. Nicholson answered for the developer, when this project first started that was a question and from a planning point of view and the future of revitalization along Jacksonville Road that the thought was it would be better to do the zoning change. The conditional use process which is being included in the ordinance gives the Borough Council more control. Mrs. Phillips is concerned about the federal government and the new laws concerning eminent domain, she is worried that the Borough can now come in and seize persons private property.

John Loftus, 461 Madison Avenue. He would like to know the name of the developer and his company. Mr. Steven Cassidy, Stoveworks Inc. Mr. Loftus asked Mr. Cassidy if he was affiliated with Marathon Design. Mr. Cassidy stated they are one of the architects working on the project. Mr. Loftus asked if Marathon was involved in the Liberty Lofts in the Northern Liberties section of Philadelphia. Mr. Cassidy stated Marathon has been involved in a lot of projects at least 400 units. They are being used for the architectural plans. Mr. Loftus asked what has been done by Marathon to address the complaints at Liberty Lofts, some of which are trees not being planted, thin walls and some construction not being done and is the Borough going to see a repeat of that with this project. Mr. Jim Cassidy from Marathon stated that project is quite different from this for several reasons. There was a different owner and those items are the owners responsibility. Mr. Cassidy feels that those types of issues will not be associated with this project. Mr. Nicholson stated this is why there are building codes, inspections and escrow agreements. Mr. Steve Cassidy stated that they are using totally different construction materials, sound buffering and wall structure. Marathon has nothing to do with the building ownership they are only doing the architectural renderings at this time. Mr. Loftus asked where Stoveworks Inc. was located. Mr. Cassidy stated 2200 Byberry Road, Hatboro. It is in Upper Moreland township with a Hatboro Post office.

Dolly Jones, 443 Jefferson Avenue. She stated that the figure of a couple of seconds to get onto Jacksonville Road from Tanner Road is incorrect, it took her 8 minutes. She is a part time crossing guard and occasionally works at Jacksonville Road and Meadowbrook Avenue and this is a dangerous place. People ignore the blinking light and the crossing guards. She also asked if the apartments would be handicapped accessible. Mr. Jim Cassidy replied that what is asked for in the code will be provided. The amount of apartments that will be ADA accessible will be reduced because it is an existing structure. She stated Tanner Avenue is a very busy street with residential

and commercial traffic. Mr. Nicholson stated whatever use comes of the property it will generate traffic.

Joe Celano, 8 North York Road. Mr. Celano stated that his property is approximately 20 x 80 feet and is very similar to his neighbor at 6 North York Road, the Philadelphia A's Museum. He stated approximately 10 years ago his neighbor came to Council because he had an apartment on the second floor that he wanted to change and make 2 rental apartments. Borough Council denied him the variance and their reason was because the requirements in Hatboro were each rental apartment required two parking spaces per unit. Mr. Celano would like to know that if there is an ordinance that states each apartment requires two parking spaces. Mr. Evans stated that the current curb requirement states two off street parking spaces per unit. The proposed ordinance for mixed use development only, the reduce parking standards would apply, the proposal takes into account the number of bedrooms per unit, making three different standards. The two bedroom apartment requires two off street parking spaces, it would be the one bedroom or studios that have the reduced requirements and would only apply to mix use development in HI district. Mr. Celano stated in this country there is still Equal Protection of the laws and he feels discriminated upon and special privilege given to other people and it appears that is what is happening in this case. His neighbor asked for one more apartment and was denied that request, Mr. Celano stated that he was going to ask for one more apartment also if is neighbor was approved. Mr. Celano stated that everyone should be treated equally in the Borough. Mr. Nicholson stated that this project is attempting to re-use and preserve an existing structure in the Borough and his client feels that at the end of the day this will enhance the life of the Borough. His client feels the number of spaces provided is adequate. His client feels tearing down the building and putting something else in its place would be a detriment, by re-habbing the existing building with the historic work on the facade and restoration of the windows will make it a magnificent structure and something Hatboro will be proud of and an economic benefit to the COMMUNITY.

Merrie Keller, 110 West Monument Avenue. Mrs. Keller stated that this is very interesting project. She reviewed the figures of 226 people with 14 school age children at a cost of $13, 458 per child, what happens if there is one special needs child, she feels the school district needs to be more involved because the cost per child is going to be more. She is also concerned over the green sheet of paper she has with a lot of numbers listed on it that are far fetched and she does not believe this paper came from Mr. Nicholson's client, the top of the sheet stated Stoveworks and what the opponents don't tell you. Mrs. Keller asked if this paper could be political. Mrs. Keller asked if anyone had answers. PRESIDENT TAGGART asked her what her specific question was. Mrs Keller asked where the paper came from and are the numbers genuine and the concerns listed on the paper genuine. COUNCILPERSON VASOLI told Mrs. Keller she was welcome to go through each item. PRESIDENT TAGGART asked Mrs. Keller what on the sheet was she questioning. Mrs. Keller stated the whole sheet. PRESIDENT TAGGART stated he thought the sheet was handed as people entered the meeting. PRESIDENT TAGGART stated that he did not hand them out neither did anyone on Council. Mr. Tompkins stated it was handed out in an Elm Street Board mission statement, it was an insert to the flyer. ZONING OFFICER HELLER states that he visits the site at least 15 to 20 times each winter to ensure that the sprinkler system is functioning. The audience asked where the owner of the property is. ZONING OFFICER HELLER stated he lives out of the area. Mrs. Keller again asked where the flyer came from and why was it handed out here. PRESIDENT TAGGART stated it was handed out by The Elm Street Board. Mrs. Keller told PRESIDENT TAGGART that his answer was incorrect, the sheet was handed out by two candidates for Council. PRESIDENT TAGGART stated it was not distributed by the Borough so

he was not sure where it came from. Mrs. Keller stated it was so typical as to residents trying to get answers. PRESIDENT TAGGART stated apparently the sheet came from Laurie Vasoli and Mark Sheedy. Mrs. Keller asked if Mrs. Vasoli was running for any office and PRESIDENT TAGGART told her she knew that and if this is the point that Mrs. Keller was trying to make or the question she had then she got her answer and PRESIDENT TAGGART would like to move on with the meeting so others could have the opportunity to speak.

Kate Smirnov, 201 North Penn Street. Mrs. Smirnov stated she was before Council this summer about traffic concerns on her street which is two blocks away from the project. CHIEF GARDNER did a study and he also recommended she download the Penndot manual for traffic calming. She stated that the numbers that everyone is talking about tonight are right. She learned that you have to have a lot of traffic in order to qualify for anything in accordance with the state standards. She and her neighbors feel that there is way to much traffic on their street, when CHIEF GARDNER studied the area his figure was 500 cars, the state requirement for a speed bump is 1000 cars. Her comment to Council is that whatever studies are done and when compared to the state standards it does not measure up to the standards of the residents who live there and meet the expectations of the quality of life in their neighborhoods. She feels the Borough should invest money into being creative about measures to control traffic, maybe one way streets. She feels the project is beautiful and if done is the beginning of great things for the neighborhood but traffic is a major issue and the Borough should do a little better than the state standards when it comes to traffic calming.

Michael Yondura, 128 Jacksonville Road. Mr. Yondura has been a resident on Jacksonville Road for 41 years. He applauded the developer for taping the meeting. He has listened to a lot of changes since the original meeting at the firehouse and at least there is now a record of who said what. Mr. Yondura feels tonights meeting has to many focuses. He believed that tonights meeting was to hear the residents concerns about the zoning and not give approval for the project. He stated the 10:30 pm deadline to end the meeting is nearing and there are still a lot of people who would like to speak. Mr. Yondura would like to see the meeting continued so that all the residents who wish to speak can. PRESIDENT TAGGART stated that continuation of the meeting is an option. Mr. Yondura asked if there was a deadline when the amendment has to be in place. Mr. Nicholson tried to answer but Mr. Yondura asked for an answer from Borough Council. PRESIDENT TAGGART stated there is no requirement and the purpose of the hearing was to let the residents speak. If at 10:30 p.m. there is a line out the door then the meeting would be continued. PRESIDENT TAGGART stated that if everyone was done than perhaps a decision could be made. Mr. Yondura stated that the parking spaces allotted, 234 spots does not allow for company or visitors. Mr Nicholson stated that there will be parking available for visitors, at peak hours the anticipated demand would be 210 spaces, therefore ample spaces for visitors. Mr. Yondura stated then company/visitors would only be able to visit during certain hours and there would be no sleep overs allowed. Mr Nicholson stated that the numbers do not come from out of the air they are from actual studies from suburban areas throughout the country. Mr. Yondura asked if the parking would be assigned spots and how many spare spots would be available. Mr. Nicholson stated his client has indicated that at least one space per apartment would be reserved. These decisions would come during the land development approval process. Mr. Yondura asked what the developers contingency plan is if the project backfires and there is not enough parking. Mr. Steve Cassidy stated that no one is going to rent an apartment unless there is adequate parking close by to where they live. Mr. Yondura stated that in 5 years when they sell them as condos who is going to pay $300,00 for a condo that they have to walk a quarter of a mile from the parking space to the front of the building. Mr Yondura asked about the figures for rent. Mr Steve Cassidy stated that the rent

will be approximately 20% higher than other apartments in the area, they are looking at $900 to $1,800 per month in rent. At $1,800 per month what happens if two married couples rent a 2 bedroom apartment to split the rent and save money, now you have 4 vehicles that need parking. Mr. Yondura feels the developer is not looking at the worse case scenario. The studies state that there will be some units with more cars and there will be some with no cars. Studies indicate that this type of housing is not conducive with multiple families and multiple vehicles. Mr. Yondura asked if the Borough can limit the number of cars that a tenant can have and if so this would have to be included in the lease agreement. Mr. Nicholson stated that is something that the Borough and his client can discuss if legal. Mr. Yondura stated then when in the planning stages the developer should be looking at the worse case scenario. Mr. Nicholson stated his client is looking at the worse case scenario. The property continues to deteriorate and when that happens it continues to drag DOWN the property values of surrounding properties. Mr. Yondura asked about the discussion of putting in a left turn lane on northbound Jacksonville Road. Mr. Nicholson stated the traffic report did indicate the re-stripping of Jacksonville Road north for a left turn lane north on Jacksonville Road at County Line Road. The audience commented that this is already happening at that intersection. Mr Yondura asked about storage facilities for the tenants he did not see that indicated on the plan. He used the example of someone with a kayak, if each time they used their kayak would they have to take it up and down to perhaps the third floor each and every time. Mr. Nicholson stated that would be part of the land development process and there is no requirement for separate storage units. Mr. Yondura closed with a statement to Borough Council to please consider this very close, look around at the buildings in the area, there is Dudlik Industries, by allowing this Council is opening a door to pull the plug on industry in the area.

Vicki Lewis, 44 South York Road. Mrs. Lewis stated she thought that the purpose of tonights meeting was to amend the zoning ordinance. She was told she was correct. She stated she had questions, according to section 1801.6, parking. Parking requirements are one parking spot for each dwelling with one bedroom, 1.75 for a two bedroom unit, but has no indication on the parking requirements for a studio apartment. Mrs. Lewis would like to see Borough Council deny this request as there are no requirements for parking for a studio apartment. Mr. Nicholson stated that a studio apartment is covered under a one bedroom apartment for the purpose of parking requirements. Mrs. Lewis stated she is more concerned over the ordinance and how it effects all properties in the area and not Stoveworks. Mrs. Lewis asked if the final draft will read one bedroom and studio apartments and she asked for an answer from Borough Council and not the developer of Stoveworks. PRESIDENT TAGGART stated she would be correct and that is the way it has been written. PRESIDENT TAGGART stated it appears to have been an oversight. ZONING OFFICER HELLER stated that it is a dwelling and has a bedroom, it cannot be a residential unit if a person or persons can not sleep there, for zoning purposes the unit would have to be designated as a one bedroom since there is not a classification as a no bedroom unit. Mrs. Lewis asked ZONING OFFICER HELLER if he would be changing the wording and ZONING OFFICER HELLER replied he could not because he had nothing to do with writing of this document. Mrs. Lewis asked who wrote this. A member of the audience shouted COUNCILPERSON VASOLI. Mr. Nicholson stated that they can add studio if Borough Council wishes. It is the developers understanding that a studio is considered a one bedroom. Mrs. Lewis asked in Section E states no additional parking would be necessary for any indoor recreational facilities or other accessory uses provided that its use is intended solely for the residents of the development, if Stoveworks or any other applicant wants to put in a café or other retail use then they would have to go before The Zoning Hearing Board for a variance for parking. ZONING OFFICER HELLER stated yes. Mrs. Lewis stated then the café has to go before The Zoning Hearing Board. ZONING OFFICER

HELLER stated not for this particular project. Mr. Nicholson stated the definition of a mixed use Development insert up to 15% of non residential use and this number was a recommendation from The Borough Engineer and Borough consultants. This allows for one off street parking space for every 250 square feet of non residential use allowed to the general public. If the fitness center was open to the public then it would require additional parking under subsection D. Mrs. Lewis asked if the café was open to the public would it have to meet the same requirements as other restaurants in the Borough or would it be a special use for Stoveworks. Currently it is one parking space for every 4 seats, this would be one for every 250 square feet of floor space.

Bill Tompkins, 161 Spring Avenue. Mr. Tompkins would like to know the requirements for fire lanes and fire lane widths. He is concerned about the number of residential units along the back of the building on the railroad tracks, it is a one lane road in that area, is that a fire lane, can it handle a fire truck and is there a safety issue with raising the ladder truck. ZONING OFFICER HELLER stated it has been studied by the Fire Marshal and the elevation of the building has been checked to ensure a fire truck can pass through. FIRE MARSHALL STAUCH and FIRE CHIEF ZOLLERS both stated that the plan has been approved by their offices respectively and as submitted they can get the ladder truck into that area and can safely put the ladder into service. FIRE CHIEF ZOLLERS stated the building will be much safer when brought to code. ZONING OFFICER HELLER stated if there is a fire in the back then the fire company would fight the fire from the front and if there was a fire in the front the fire company would fight it from the back, if there was a fire, fire trucks do not go directly to a burning wall, they fight fire from a distance. Mr. Tompkins asked how many parking spots per unit are designated on the same side of the complex as Jacksonville Road, there are concerns about pedestrians crossing the road. Mr. Nicholson stated approximately 65 to 70 spaces and during the land development process the developer will have to get the necessary permits from Penndot. Mr. Tompkins stated that Mr. Nicholson said the parking requirements came from the URDC. Mr. Tompkins stated that at the 9/12/05 Committee Meeting it was discussed that the parking requirement numbers did not come from URDC. Mr. Nicholson stated he did not say that, he said that at the beginning of the year when the first draft of the proposed zoning ordinance was submitted which is being considered now has parking requirements that they anticipated being satisfactory and met the needs of the project. URDC reviewed this and suggested increasing the parking requirement for two bedrooms from 1.5 to 1.75 and that change was incorporated in the draft of the ordinance. Mr. Tompkins asked how much of a hardship would it be to increase the parking, this ordinance is effecting this area of the Borough and if we underestimate this here what impact would it be in the future for similar developments that could happen. Mr. Tompkins stated that this ordinance is being done for this project and does that not constitute spot zoning, which is illegal. Mr. Nicholson stated in looking at the Comprehensive Plan and Revitalization to the Jacksonville Road corridor was to do a zoning change to encourage Development along Jacksonville Road, if a variance was requested by The Zoning Hearing Board then COUNCIL would not have as much control over the project. PRESIDENT TAGGART stated the Borough is trying to accomplish smart redevelopment, municipalities are trying to preserve land by reusing a structure or property with the least amount of impact on the residents. The current HI zoning district code allows for manufacturing, which means someone can come in right now and start manufacturing plastic and residents can now look at smoke stacks in their backyards. COUNCILPERSON ZYGMONT stated that it is her opinion that this ordinance is tailored to this project. She stated The HI district includes 21 or 29 other parcels which could encourage development. Of these parcels none have four acres but that would not stop someone from buying a couple of buildings and developing them. Mr. Tompkins asked if they can modify the ordinance in the vote or do advertising requirements force Council to come back and vote again. SOLICITOR

MEYER stated that if you make minor changes the ordinance can be amended and voted on it as proposed. If major changes are made then Council would have to re-advertise and start the process over again. Mr. Tompkins asked about a conditional use hearing and what Council can reasonably do at such a hearing. Is it possible to say no to the project or our conditions set because the project meets basic requirements. SOLICITOR MEYER answered that a conditional use hearing will be similar to a special exception hearing. The criteria for meeting a special exception is found in the zoning code, section 2109 1, 2, 3, etc., which SOLICITOR MEYER reviewed with the audience.

Mr. Ed Moll, 116 Academy Road, his first question is who drafted the first version of the ordinance. Mr. Nicholson replied that Mr. Wally Evans, Land Planner drafted first ordinance while working with the developer and was submitted the beginning of this year or end of last year. It has been extensively modified as a result of comments from the Borough. Mr. Moll asked about the $2.5 million dollars in streetscape improvements that the developer was going to do with TIF money, and is it correct now the developer does not want to this so the developer is offering this as an option to the Borough. Mr. Nicholson stated originally if the developer could have done this the project would of look more aesthetically pleasing. There are a lot of wires in the area, but the budget does not allow this now. Mr. Moll asked again if it was true that the developer was going to bury the utility lines earlier on in prior discussions about the project. Mr. Nicholson stated it was something that the developer wanted but financing of the project now will not allow that and it is something that they are not prepared to do. Mr. Moll asked again if this was something that was going to be done earlier in the plan. Mr. Nicholson stated it has always been a desire of the developer to bury the lines, yes. Mr. Moll stated now that the developer does not want Tax Incremental Financing (TIF) these lines are not going to be buried and it all has hinged on that. Mr. Moll asked Council when they found out that TIF was not going to be pursued by the developer. COUNCILPERSON VASOLI stated that earlier this month the applicant met with Borough officials and announced that they were not using TIF for the project aspects of the development. Mr. Moll stated since Tthe Council President was not aware of it was COUNCILPERSON ZYGMONT aware of it and she replied no, was COUNCILPERSON ACKER aware of it, he replied no. Mr. Moll asked if it was on the green sheet of paper that was circulating in the meeting this evening and PRESIDENT TAGGART replied yes. Mr. Moll read the statement on the green sheet of paper that stated the developer was not going to pursue TIF, item #3 on the sheet. Mr. Moll finds it interesting that none of the Council members were aware of this but the author of the document circulating in the audience did.

Karen McCreesh, 233 East Monument Avenue, wanted to say how much she loves Hatboro. She does not like the negativity in the room, she is equally embarrassed about the condition of the building but she is in favor of the development.

Angela Fuchs, 19 East Montgomery Avenue asked why Montgomery and Moreland Avenue were not in the studies. They are heavily traveled roads and should have been included. Parking is a big issue and some residents already deal with it, like she does. The parking is going to fall out onto the side streets in front of people's houses because there is not enough. The building was changed to a historic building, it was never that before, now it is going to be much harder if it is not developed for anyone else to turn the historic designation around. Mr. Jim Cassidy stated it was just recently changed. The audience asked why and when did this happen. Mr. Jim Cassidy stated The National Park Service made the decision based on an application by people who went to Harrisburg. The audience again asked who and when this summer did this occur. Mr. Steve Cassidy stated that the building was built over 100 years ago and according to Federal regulations that the government

wants to encourage development of these types of buildings in order to preserve the buildings. It was a very stringent process, including 3 meetings in Harrisburg with people they do not know and is now on the historic list. The building was built in the suburbs to bring people in the area and build homes in the area and now it is a reverse cycle, there is no manufacturing in this area it has left the country. Ms. Fuchs stated her argument is not about developing the building but the changing of the historic designation because if Mr. Cassidy does not develop the building it will be difficult for anyone else to change it. Mr. Steve Cassidy told Ms. Fuchs she was correct.

Mr. Polaneczky asked COUNCILPERSON VASOLI if he represented the Borough at those meetings. COUNCILPERSON VASOLI stated as chair of The Zoning Development and Historic Preservation Committee he did along with the BOROUGH MANAGER PANTANO. COUNCILPERSON VASOLI stated he feels that the project is in the best interest of the Borough and still is a viable one. Mrs. Phillips of Wood Street told COUNCILPERSON VASOLI that what he did was corrupt and disgusting. Mrs. Phillips stated that she is proud to live in Hatboro and COUNCILPERSON VASOLI and BOROUGH MANAGER PANTANO had no right to go there and do this, it is corrupt and she feels like she lives in Philadelphia. Mrs. Phillips stated that Lit Brothers in Philadelphia and that was a historic building not Stoveworks. COUNCILPERSON ZYGMONT stated she was not aware of this and she believes it was not brought before the rest of Council. Mr. Roth from McMahon Associates explained the areas of the study, there were 12 intersections, County Line/ Madison, County Line/ Jacksonville, Warminster/ County Line, Jacksonville/ Meadowbrook, Jacksonville/ Summit, Jacksonville/ Tanner, Jacksonville/ Monument, Jacksonville/ Montgomery, Montgomery/ York, Moreland/ York, Byberry/ York and Byberry/ Warminster. The report is at the Borough for anyone to review. Ms. Fuchs stated Council should be looking at Jacksonville/Moreland. Ms. Fuchs stated she is a realtor and she knows what people are paying in rentals, how is the developer proposing to get people into Hatboro and pay $1,800.00 a month for a two bedroom apartment with one and a half parking spots. Mr. Steve Cassidy stated that anyone could see how when they see the finished product. The development is close to the train station and the rents for this type of unit for an upscale loft apartment. Ms. Fuchs stated she is not arguing that the apartments are going to be beautiful but how do you get people there and what will you do when you cannot market these apartments. Mr. Steve Cassidy stated it is a risk associated with the project. Mr. Steve Cassidy stated it was not going to be lower class housing. Mr. Nicholson stated since the inception of this project he has heard Section 8 housing was coming to Hatboro, this is not section 8 housing. The developer is taking an eyesore and turn it into something that Hatboro is going to be proud of. It will be attractive, a huge tax boost and cleaning up a contaminated property.

Alex Rodemich, 340 Tanner Avenue asked who exactly applied for The Historical designation and what was the sudden interest in this building. This was done so this developer could only develop this property into beautiful properties. Mr. Steve Cassidy stated from a construction point of view it is more expensive. It allows the developer to fund part of the project and Mr. Steve Cassidy stated there is nothing wrong with going after funds. Mr. Rodemich asked if the developer lives in the Borough or if any of Council lives in the area. Does anyone have kids that have to walk to school in that area. Mr. Nicholson stated the developer lives in the area, works in the Hatboro postal area if not in the Borough and has spent is entire life in the area. Mr. Rodemich stated he thinks that now this project is being pushed through 2 weeks before the election. The new council members should be a part of this decision. Mr. Nicholson stated that the first meeting was March 2004 and they have spent month after month, many months attending Council meetings, planning commission meetings, nothing is being pushed through on this project. Mr. Nicholson's client applied for the

zoning change in February and they have been working through the process. A lot of money has been invested in this project. The developer is in an agreement to purchase the property. Mr. Nicholson's client is in need of an answer. It is not a question of elections. Mr. Rodemich again asked for the decision to wait until after the election. He lives on Tanner Avenue and parking is a big problem, there is parking on both sides of the street, what happens when someone has a party, they are going to be forced to park on side streets.

Mike O'Connor, 27 North Penn Street asked if the 1.3 per unit number is specific to suburban not urban, Mr. Jim Cassidy stated yes. Mr. O'Connor asked if there is a problem with the remediation of the property and what happens if the DEP is not happy with the clean up. Mr. Nicholson stated that his client has had environmental assessments of the property and have submitted those findings to the Borough. His client is aware of the contamination surround this property. His client is aware of the costs associated with the remediation of the building/property. This is all within the developer budget to do this. This is an expensive project and the money is coming out of the developers pocket and there is going to be no public funding. The developer has to satisfy DEP that they are going to clean up the site for its intended use is in accordance with DEP and statewide standards before The DEP gives the okay to clean up. There have been meetings with the DEP and they have been positive meetings.

Lou Polaneczky, 140 Spring Avenue stated he has seen some of the developments Bruce Nicholson has been involved in and they are all nice and he believes Mr. Nicholson has the best interest of Hatboro at heart, but he would like to see Mr. Nicholson's client be a good corporate citizen and follow the rules in place not make them up as they go along. Mr. Polaneczky feels that this project is compared to the old trick of sneaking your buddies in the truck of your car into the drive in theater. This project should be going before the Zoning Hearing Board not eliminating the Zoning Hearing Board. Mr. Polaneczky stated he agrees with the mixed use but not with taking the parking and changing it, it should go before The Zoning Hearing Board for a variance. In the city you can walk to things like an Acme, they cannot do that here in Hatboro. The numbers for school students is low. It is a sneak job. Mr. Nicholson stated it is not a sneak job, it has been a year and a half. Mr. Polaneczky stated tonight was the first time a lot of people learned about the trip to Harrisburg. This information has never been distributed to the public, this is the first time he has seen it. Mr. Nicholson stated this was made available at the fire house meeting. Mr. Polaneczky stated he is for the project if the developer wants to be a good responsible corporate citizen and give honest figures. If the developer wants support from the residents than he should be truthful and he will get cooperation.

Chris McCawley, 425 Madison Avenue stated he recently moved from Chicago and has been involved in real estate Development with investors. Mr. McCawley's main concern is taxes and property values. He does not wish to have his property value go down, it has gone up along with his taxes, he thinks that they should be town homes or condos to bring more taxpayers into the Borough, Borough does not need anymore renters. Mr. McCawley would like to know why there is a problem putting in 2 spaces. Can't the plans be reconfigured, perhaps removing one more bottom floor and put in more parking. Mr. Nicholson stated that in order to utilize historic tax credits the developer is not about to demolish any of the structure. The developer already has some indoor parking, they have looked at that and the column spacing inside the building prohibits that. The developer did go out and purchase additional properties for more parking. Mr. Nicholson stated that the condo conversion is eminent. Mr. McCawley also stated to be more creative, be good corporate citizens and add more parking. Mr. McCawley also stated that there are council people in the room

that have a conflict of interest and there are residents in the room who certainly are not sitting on the fence in regards to their decision. Mr. McCawley feels if there were two more parking spots than more people in the room may be more receptive to the project. Mr. McCawley feels taxpayers will take better care of their property and he just does not see the market for a 700, 800 or 900 square foot apartment. People want their space. Mr. Jim Cassidy stated that they can change apartments around to make more space for condominium conversion. Mr. McCawley stated that if the developer cannot change the parking spaces and meet some of the resident's demands then maybe another developer is needed. This project should not be rushed before an election just to get passed especially if there is conflict with investments. PRESIDENT TAGGART stated there is no conflict with investments and the project is not being rushed it has been on the table for two years. Mr. McCawley stated than there has been very poor disclosure. If there was proper disclosure than not as many people would be in the room tonight and so many would not of been surprised by what they heard at this meeting. PRESIDENT TAGGART stated this has been discussed at numerous committee and council meetings for two years and Council meetings are public and it is up to the residents to come to the meetings. Ms, Fuchs asked why this was not made public sooner. Mr. Polaneczky stated when was this information distributed to the public. PRESIDENT TAGGART answered Council meets the 2nd & 4th Monday night. PRESIDENT TAGGART stated that Council does not have the resources to notify the public about everything that is going to be discussed, the meetings are advertised in the paper and it is up to the residents to come to the meetings and find out what is going on. PRESIDENT TAGGART stated he takes offense that people think this is being rushed through. Mr. Polaneczky asked PRESIDENT TAGGART when the ordinance was put out, don't try to blame this on the people.

PRESIDENT TAGGART stated the meeting has been continued until November 2nd, 2005 at 7:00 p.m. at Crooked Billet School.

ADJOURNMENT AND EXECUTIVE SESSION

PRESIDENT TAGGART stated the meeting has been continued until November 2nd, 2005 at 7:00 p.m. at Crooked Billet School.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Diane Valesky

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, November 21, 2005

PRESENT

President Taggart, Vice President Strang, Councilpersons Acker, Vasoli and Zygmont, Mayor Celano, Borough Manager Pantano, Borough Solicitor Meyer, Chief Gardner, Code Enforcement Officer Heller and Borough Engineer Dougherty.

ABSENT

Treasurer McKean and Fire Marshal Stauch

CALL TO ORDER

PRESIDENT TAGGART called the meeting of the Council of the Borough of Hatboro to order at 7:10 p.m.

PRESIDENT TAGGART stated that the two new Councilpersons would be sworn in this evening to fill the two open seats on Council. PRESIDENT TAGGART announced that Councilman Elect John Zygmont and Councilperson Elect Nancy Guenst would be sworn in this evening.

PRESIDENT TAGGART made a MOTION to appoint JOHN ZYGMONT to fill the remainder of Dr. Clark's term on COUNCIL. This motion was SECONDED by COUNCILPERSON VASOLI and approved by Council with Mrs. Sandra Zygmont abstaining.

PRESIDENT TAGGART made a MOTION to appoint NANCY GUENST to fill the remainder of Mr. Plunkett's term on COUNCIL. This motion was SECONDED by COUNCILPERSON ACKER and approved by Council unanimously.

PRESIDENT TAGGART turned the floor over to the Honorable Judge Gloria Inlander for the swearing in ceremonies. JUDGE INLANDER congratulated the two incoming candidates and called them unsung heroes, thanked them for their service to the community and was pleased to have been asked to perform the swearing in of both candidates.

JUDGE INLANDER administered the oath of office to COUNCILMAN JOHN ZYGMONT and COUNCILPERSON NANCY GUENST.

MINUTES

PRESIDENT TAGGART stated that Council is in receipt of the minutes of the October 24, 2005 Council meeting. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT TAGGART stated that he was going to deviate from the agenda and move the items that are on the PUBLIC SAFETY portion of the agenda to the PRESIDENT'S REPORT.

PRESIDENT TAGGART announced that COUNCIL would be honoring SERGEANT ROBERT HEGELE on his recent retirement from the Hatboro Police Department. CHIEF GARDNER asked MAYOR CELANO and the HEGELE Family to step forward for a brief presentation. CHIEF GARDNER stated that SGT. HEGELE served the residents of Hatboro for over 26 years. CHIEF GARDNER presented SGT. HEGELE with a plaque with his badge displayed. CHIEF GARDNER also presented SGT. HEGELE with the merit award. CHIEF GARDNER explained the Merit Award was for outstanding police work. SGT. HEGELE earned 3 departmental commendations; the last one was for an arrest involving multiple burglaries. CHIEF GARDNER stated the Merit Award is the highest award that can be attained within the Hatboro Police Department. MAYOR CELANO gave a brief presentation and thanked SGT. HEGELE for his years of service to the Borough and "for being one of his boy's."

PRESIDENT TAGGART made a MOTION to consider the appointment of OFFICER JAMES PETRIK to SERGEANT as per the Hatboro Civil Service Commission list dated November 17, 2005. This motion was SECONDED by COUNCILPERSON ACKER and APPROVED by Council unanimously.

PRESIDENT TAGGART stated that his two 7-year-old sons have spoken very highly of Officer Petrik. PRESIDENT TAGGART stated while on bike patrol this past Halloween night Officer Petrik stopped to talk to his sons and while walking home his one son said to the other boy that Officer Petrik is sure nice guy and he really liked him and the other son said how can't you like him. PRESIDENT TAGGART stated that this is the kind of service Officer Petrik has given to the Borough and that he is pleased to see him here tonight and receiving this promotion.

CHIEF GARDNER introduced OFFICER PETRIK and stated he has been a member of his department for 7 years. OFFICER PETRIK will be replacing Retired Sgt. Hegele, assigned to and shift supervisor in charge of "A Squad." MAYOR CELANO administered the oath promoting OFFICER JAMES PETRIK to SERGEANT.

BOROUGH MANAGER'S REPORT

PRESIDENT TAGGART announced that he received notice from Borough Manager Pantano that he did not have the time to prepare a monthly Manager's Report due to working on the 2006 Budget. PRESIDENT TAGGART asked BOROUGH MANAGER PANTANO if he had anything to report on at this time. BOROUGH MANAGER PANTANO stated that a timetable for the 2006 Budget presentation would be discussed during the Budget & Insurance portion of the agenda.

PRIVILEGE OF THE FLOOR

There were no public comments at this time.

TREASURER'S REPORT

TREASURER MCKEAN was absent. PRESIDENT TAGGART asked if a report was submitted in advance. BOROUGH MANAGER PANTANO stated he did not receive one.

PAYMENT OF BILLS

PRESIDENT TAGGART stated that Council is in receipt of the **warrant list and manual check list**. PRESIDENT TAGGART made a MOTION to approve the warrant list and manual check list. COUNCILPERSON GUENST asked what the bill for FISHER MECHANICAL was for. BOROUGH MANAGER PANTANO stated it was for the backflow preventors at the police station, public works building and the old firehouse that are required by Aqua of PA. COUNCILPERSON SANDY ZYGMONT asked what the bill for ARMOUR & SONS, conflict monitor was. BOROUGH MANAGER PANTANO stated this was electronic control for the traffic lights. COUNCILPERSON ZYGMONT asked what the bill for BIOMETRICS was for. BOROUGH MANAGER PANTANO stated it was a seminar for reasonable suspicion training for drug and alcohol testing in the workplace. COUNCILPERSON SANDY ZYGMONT asked what the bill for O'NEILL COLLISION was for. CHIEF GARDNER stated it was for a patrol car, crown Victoria, the axle needed to be replaced and this was the cheapest price and the bill was late arriving to his office. COUNCILPERSON SANDY ZYGMONT asked BOROUGH MANAGER PANTANO to provide her with copies of the NEXTEL bills for ADMINISTRATION and the MAINTENANCE DEPARTMENT. COUNCILPERSON SANDY ZYGMONT advised BOROUGH MANAGER PANTANO that the Gardeners of Hatboro check was from the operating account and that she left a message for him and a memo for the bookkeeper that this invoice was taken out of the Escrow account. BOROUGH MANAGER PANTANO advised COUNCILPERSON SANDY ZYGMONT that it was coded wrong and should have been taken from the Parks account and he would have the bookkeeper change that. This MOTION was SECONDED by VICE PRESIDENT STRANG and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO stated that he sees in the audience tonight MAYOR ELECT HAWKES. MAYOR CELANO thanked JUDGE INLANDER for taking him door to door during past elections. MAYOR CELANO stated while he lost the recent election, Hatboro did not. MAYOR CELANO stated MAYOR ELECT HAWKES is a good man, congratulated him and said if he ever needed anything to give him a call.

SOLICITOR'S REPORT

SOLICITOR MEYER attended the Hatboro Borough Planning Commission Meeting regarding the **Stoveworks Project**.

SOLICITOR MEYER amended the Access and Indemnity Agreement regarding the **ExxonMobil matter**. January 2006 will be a total of 5 years negotiating the agreement for ExxonMobil to clean up contamination at gas station.

SOLICITOR MEYER prepared and filed a brief regarding the Schieber appeal, **Curative Amendment**, 400 N. York Road.

SOLICITOR MEYER prepared the ordinance and advertisement of ordinance to continue existence of **Upper Moreland Hatboro Joint Sewer Authority.**

SOLICITOR MEYER amended the mixed-use ordinance for the **HI-Heavy Industrial** zoning district.

CHIEF'S REPORT

CHIEF GARDNER reported the recent death of long time police dispatcher Judith Marsden. Judy lost her long battle to cancer since the last Council meeting. Judy was the longest serving dispatcher in Hatboro and was a friendly voice to many. Judy will be a part of the Hatboro Police Department forever.

CHIEF GARDNER announced that his department is participating again this year in the **Toys for Tots program**. There is a donation barrel in the police station for donations for the Marine Corp Reserve.

CHIEF GARDNER stated that several years ago his department obtained some night vision equipment through the Department of Army Counter Drug Technology Transfer Program. This is a government program that transfers equipment to local police departments to be used in the confiscation of illegal drugs. The night vision kit included the training, equipment and there were no costs associated and the equipment was very instrumental to the department involving an illegal drug distribution house on East Moreland Avenue, this case was aided with the use of this equipment. CHIEF GARDNER stated that his department has been selected to receive another piece of equipment from this same program, at no cost to the Borough and will again include

training. The equipment is a thermal imager, which can be used for drug investigations as well as detecting persons hiding from police. CHIEF GARDNER stated this type of equipment was recently used in the apprehension of a bank robbery suspect who was just recently charged for the crime. This piece of equipment can also be used to help find lost children. We should receive this camera in 2006. The camera costs thousands of dollars, which would not be something that could be purchased. COUNCILPERSON SANDY ZYGMONT asked how many officers would be receiving training. CHIEF GARDNER stated one officer. CHIEF GARDNER stated that when we received the night vision equipment he was a Detective at that time and he went to Phoenix Arizona and completed first hand training in the desert which was all paid for by the government. CHIEF GARDNER stated that the officer that receives the training comes back to his own police department and trains the other officers.

SUPERINTENDENT'S REPORT

SUPERINTENDENT STAUCH submitted a report in advance.

FIRE MARSHAL'S REPORT

FIRE MARSHAL STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS
ADMINISTRATION REPORT - MR. TAGGART

PRESIDENT TAGGART made a MOTION to reauthorize the UPPER MORELAND HATBORO JOINT SEWER AUTHORITY; ORDINANCE NO. 962 for one year. This motion was SECONDED by COUNCILPERSON JOHN ZYGMONT and approved by Council unanimously.

COUNCILPERSON JOHN ZYGMONT asked if it was possible to have a longer-term reauthorization so that Council is not re-visiting this each year. PRESIDENT TAGGART stated yes. COUNCILPERSON JOHN ZYGMONT stated that both Hatboro and Upper Moreland have to adopt an ordinance to allow the continued existence of the Sewer Authority, the last few years it has been done on a year to year basis and it is not good management to do this on a yearly basis.

BUDGET & INSURANCE – VICE PRESIDENT STRANG

VICE PRESIDENT STRANG reported that the budget is complete and the time table is as follows, the budget will be sent to COUNCIL on November 23rd, it will be available for public review on Monday, November 28th, there will be a Council work session if necessary on Thursday, December 1st, it will be presented at the December 12th Committee Meeting of Council and adopted at the December 19th Council Meeting along with the Tax Ordinance.

PARKS, RECREATION & COMMUNITY AFFAIRS – MR. VASOLI

COUNCILPERSON VASOLI stated that he had nothing on his agenda to report.

COUNCILPERSON VASOLI wanted to thank the police department and public works department on the fine job done this past weekend at the Hatboro Holiday Parade.

COUNCILPERSON VASOLI also wanted to compliment the Greater Hatboro Chamber of Commerce on another fine holiday parade.

HEALTH & ENVIRONMENT – MRS. ZYGMONT

COUNCILPERSON ZYGMONT stated that she had nothing on her agenda to report.

PUBLIC SAFETY – PRESIDENT TAGGART

PRESIDENT TAGGART stated that his items were done during the PRESIDENT'S REPORT.

PUBLIC WORKS & PUBLIC PROPERTIES – MR. ACKER

COUNCILMAN ACKER made a MOTION for payment release to **GoreCon** for the Community Development Block Grant for the paving of East Moreland Avenue and Lacey Street subject to Engineer's review until release of the funds based on the completion of the punch list. This motion was SECONDED by COUNCILPERSON VASOLI and approved by Council unanimously.

COUNCILPERSON ACKER stated that the new recycling program will begin on the week of December 5th and all residents and property owners should have a copy of the flyer explaining the changes.

ZONING, DEVELOPMENT & HISTORICAL PRESERVATION – MR. VASOLI

COUNCILMAN VASOLI stated he had a few items that he would like to provide an update to Council on. COUNCILMAN VASOLI stated that the first item was the FEDERAL GRANT FOR BURYING OF UTILITY LINES ON YORK ROAD. COUNCILMAN VASOLI stated that there are two applicable grants, one is the grant and the other is the grant application. The Borough received a million dollar grant for the burying of utility lines on York Road from Congressman Allyson Schwartz's office. COUNCILMAN VASOLI visited her office on Friday, November 18th to ask about providing funds for the match, approximately $200,000. COUNCILMAN VASOLI provided the Borough Manager with a list of contacts to look into securing these funds.

COUNCILMAN VASOLI stated the second item was the FEDERAL GRANT FOR BURYING OF UTILITY LINES ON JACKSONVILLE ROAD. COUNCILMAN VASOLI and the Borough Traffic Engineer looked at a FEMA grant, in reviewing the

grant application it is a very complicated application and the funding for this is very much diminished as a result of Hurricane Katrina. COUNCILMAN VASOLI stated he could not recommend that the application be pursued, the approximate costs involved with this application are $10,000 to apply and given the funds are not available there is to much uncertainty to pursue this grant application.

COUNCILMAN VASOLI stated the third item was the FLOWER BEDS DOWNTOWN. COUNCILMAN VASOLI stated that in the recent council packets was a proposal from Main Street to make custom flower boxes at a cost of $125.00 each with $25.00 of that fee being donated to the Main Street organization. COUNCILMAN VASOLI stated that he spoke with Main Street expressing Council's concern with having borders around the flowerbeds. Main Street is going to meet again and discuss this and get back to Council. COUNCILMAN VASOLI also is scheduling meetings with the Boy Scouts to perhaps maybe have the planting of flowers as an Eagle Scout project. The next step for this project would be to have a landscaper or landscape architect devise a plan for this and once done make a presentation to Council.

COUNCILMAN VASOLI stated the last item on his agenda was to update the newly elected Council officials on several projects and their status. The newly elected Borough Officials will be provided if not already a copy of the Zoning Ordinance and the draft copy of the Subdivision Ordinance along with copies of the existing documents. COUNCILMAN VASOLI has met with the Borough Planner and there is now in the works a second draft of the Zoning Ordinance and the comparison worksheet showing the differences of the draft of the new zoning ordinance and the old zoning ordinance which should be completed by the December Committee meeting. COUNCILPERSON SANDY ZYGMONT asked whom it would be forwarded to. COUNCILMAN VASOLI stated to the existing Council and the new Council members.

COUNCILMAN VASOLI stated that Paul Driscoll from URDC has received comments from the County Open Space Committee regarding the Open Space Plan. When he receives the comments they will be forwarded to the existing Council and new Council members.

COUNCILMAN VASOLI stated that the Elm Street Committee has had a limited discussion on the 2nd installment of the Elm Street Plan and there are some renderings that were part of the discussions and that copies will be provided to existing Council and new Council members.

OLD BUSINESS

There was no old business to come before Council.

NEW BUSINESS

COUNCILPERSON SANDY ZYGMONT asked if starting this week newly elected officials could begin receiving council packets. PRESIDENT TAGGART stated yes, he

was planning on doing this but there was not a lot of information to give at this time.

PRIVILEGE OF THE FLOOR

Mr. William Tompkins, 161 Spring Avenue. Mr. Tompkins asked how much the landscape architect would cost for the Eagle Project. COUNCILMAN VASOLI stated that they are hoping to do this with limited expenditures. One of the aspects of the project is that the Boy Scouts have to develop a budget and work on fund raising for the project.

Mr. Bruce Hart, 175 Earl Lane. Mr. Hart stated that the brochure recently distributed for the new recycling program states that a resident can only put out 5 bags of leaves, before 10 bags could be placed out for collection. PRESIDENT TAGGART directed BOROUGH MANAGER PANTANO to check on this.

Mr. Mickey Glantz asked about the committee meeting minutes. PRESIDENT TAGGART stated that the staff is working on the minutes and there is a manpower issue. PRESIDENT TAGGART stated that committee meeting minutes are not required by law, it is done as a courtesy to residents of Hatboro, no formal business is conducted at committee meetings and no votes are taken. PRESIDENT TAGGART stated that it was past practice long before his time and Council meeting minutes take precedence. MR. GLANTZ stated the reason why he brought this matter up was for the minutes to be done to offer a smooth transition with the new councilpersons and to help them with matters that were discussed prior to their service. COUNCILMAN VASOLI stated he is in agreement that Committee meeting minutes should be required and also he feels that when these minutes are done they should be detailed. COUNCILMAN VASOLI stated in other communities the minutes are done and are vague, however the Borough minutes are detailed and detailed requires more time and Committee meetings have not been getting any shorter.
MR. GLANTZ asked if Council would consider televising meetings. PRESIDENT TAGGART deferred that question to the new Council. COUNCILPERSON SANDY ZYGMONT stated that anyone could come in and tape the meeting without needing Council's permission. COUNCILPERSON SANDY ZYGMONT also stated that she feels that Committee meeting minutes are important these meetings are where most of the business is discussed and the Borough does employ a part time person to do the minutes.

Mr. Lou Polaneczky, 140 Spring Avenue. Mr. Polaneczky stated that the new Mayor-Elect had addressed during his campaign and maybe Council can instruct the Borough Solicitor to secure copies of resolutions on sexual predators from other communities. MR. POLANECZKY stated this is important and recently while on the state website he saw 3 registered sexual offenders that either live or work in Hatboro.

Mr. Rick Myers, 119 Earl Lane. Mr. Myers asked whom he should talk to about lines in the street. PRESIDENT TAGGART stated Bob Stauch, Superintendent of Public Works, however he is absent tonight. COUNCILPERSON SANDY ZYGMONT stated that BOROUGH MANAGER PANTANO should be able to address Mr. Myers question.

MR. MYERS is questioning the left turn lane at York Road at Moreland Avenue and the painting of the lines. BOROUGH MANAGER PANTANO stated that Penndot controls this intersection and the Borough cannot make any changes there. MR. MYERS stated he is only requesting line painting. COUNCILMAN ACKER stated that at the last meeting Superintendent Stauch stated there was a scheduling conflict and it would be scheduled.

EXECUTIVE SESSION

PRESIDENT TAGGART stated there was a brief executive session prior to the meeting to discuss personnel matters and seating arrangements.

ADJOURNMENT

PRESIDENT TAGGART stated the November 21, 2005 Council Meeting was adjourned at 8:10 P.M. PRESIDENT TAGGART stated at this time the October 24, 2005 Council meeting regarding the zoning ordinance amendment would be reconvened after a 5-minute recess.

CONTINUATION OF OCTOBER 24, 2005 COUCIL MEETING

Mr. Steve Cassidy, Stoveworks stated that back in fall of 2002 he met with members of Elm Street to begin discussions about the revitalization of Jacksonville Road. At the Elm Street meetings is where Mr. Cassidy met his attorney Mr. Bruce Nicholson. Everyone involved had all positive feedback about what was being proposed. Mr. CASSIDY stated he met with Council for the first time in March of 2003, 20 months ago. Since that time many meetings have taken place, much time has been invested and this project is a $25 million dollar investment to Jacksonville Road. The economic benefit to the Borough would be approximately $64,000 a year with no more streets to maintain, plow, no trash collection, no added expenses. MR. CASSIDY stated Hatboro is the 3rd highest mileage rate for a municipality in Montgomery County; it is 7.358 compared to Horsham, which is 1.00, and Upper Moreland Township, which is ½ of Hatboro's. This project will help offset this. Everyone involved feels that something has to be done; the building has been vacant for 8 years. The building has been labeled as a rat infested firetrap, which most recently has turned into an indoor shooting range. This project seems to be the best solution and to his knowledge there has not been another developer interested in investing money into this site. The environmental process for cleaning up the property will be done under the Act 2 guidelines. Act 2 is the most recommended procedure to clean up the site; the lender financing the project is requiring this also. Mr. CASSIDY acknowledged there is going to be more traffic, but less than office space or a strip mall. Mr. CASSIDY stated the costs involved in demolishing the site are too exorbitant, he could buy 4 acres of property in Bucks County for around $800,000 vs. the costs to demolish, about 5.5 million dollars. MR. CASSIDY addressed the concerns for parking; he stated he couldn't rent these apartments if there is no parking or not enough parking available for the tenants. In their plan they have proposed a figure for parking; 1 space

per each loft, 1.5 spaces for each 1 bedroom and 2 spaces for each 2 bedroom, this will give them 55 more spaces than originally proposed. They received 3 reports from experts in this field, these experts were recommended by the Borough Engineer and these experts all say that 1.3 parking spaces is enough. MR. CASSIDY understands common sense and more spaces are needed, they are willing to put in more reserve spaces, they are flexible.

MR. CASSIDY stated he has always welcomed input and comment from the elected officials. MR. CASSIDY stated the amendment to the Zoning Ordinance has seen 10 different modifications; changes were made, modified and brought back to Council. MR. CASSIDY stated if any of the borough officials said to him a year and half ago this project was not going to work, he would of submitted an application to the Zoning Hearing Board. MR. CASSIDY stated at every meeting he got a positive attitude that his project was doing something good for the community, he believes the project got caught up in the political election and he is looking forward to working with the new officials, but the 5 officials in front of him tonight he has been working with for 20 months. He stated he has followed their instructions, feedback and concurred with the Engineer on all issues. MR. CASSIDY stated that Hatboro is a great town and Stoveworks is a great project for Hatboro. MR. CASSIDY stated the elected officials are responsible for what is in the best interest of the people of Hatboro included the present and future residents. MR. CASSIDY stated it is the responsibility of Council to get the word out that Hatboro wants revitalization. MR. CASSIDY stated that if Council votes yes for this project they are sending a clear message that Hatboro means business about revitalization. MR. CASSIDY stated for the members who are leaving their terms on Council they should be proud of the legacy they are leaving by voting yes tonight for Stoveworks.

PRESIDENT TAGGART responded to Mr. Cassidy's remarks by saying that he agrees with him and feels that the majority of Council is on the same page. PRESIDENT TAGGART stated that both new and old Council members feel revitalization is very important. PRESIDENT TAGGART stated he feels the project is a great one. PRESIDENT TAGGART stated that the new council and old council are working together; it is not the Stoveworks project but the concerns over the ordinance. PRESIDENT TAGGART stated that in the history of Hatboro, and he asked Councilman Acker and Mr. Demcisak to verify this that there has never been an election where 5 seats are changing. PRESIDENT TAGGART stated that in fairness to the new officials and respect to the residents to work together on this and give the new officials time to gather information and absorb the ordinance. PRESIDENT TAGGART stated the new officials have committed to work with Mr. Cassidy. PRESIDENT TAGGART stated at this point it would be irresponsible to vote on this project and leave office.

MR. CASSIDY stated he would like to know if Council is even interested in this project or not. COUNICLPERSON GUENST stated it is not about yes or no for Stoveworks, it is yes or no for the proposed ordinance. COUNCILPERSON GUENST stated that they must consider the residents in the area, redevelopment and be careful how this ordinance affects the future and the integrity of the area.

MR. CASSIDY responded that it was his understanding from his attorney that the amendment is a separate issue that includes Stoveworks. He knows that the project has to go before the land development process after the approval from Zoning. MR. CASSIDY stated he is looking for some direction from Council.

COUNCILMAN VASOLI stated that even if Borough Council would act on this matter tonight Mr. Cassidy would still have to deal with the new Council for conditional use and land development. COUNCILMAN VASOLI feels that Mr. Cassidy is so close, but does not want to see his project trip at the finish line, the format of the ordinance needs to be looked at and there does not seem to be a consensus. The new council feels that this is being pushed through and it will be looked at unfavorably with Zoning Conditional Use and Land Development. COUNCILMAN VASOLI stated he is aware time is money. MR. CASSIDY stated that it costs approximately $25,000 per month to carry the property.

COUNCILPERSON SANDY ZYGMONT stated council needs to vote on the Ordinance that is in front of Council currently. If the vote is not favorable it does not mean that Council does not want Mr. Cassidy and his project, it means the Ordinance needs to be worked on to include the entire industrial district and not to focus on just one project. COUNCILPERSON SANDY ZYGMONT stated Council would work with Mr. Cassidy but the ordinance needs to include the entire area and what will be good for Hatboro.

MR. CASSIDY stated he agrees with Mrs. Zygmont but he was told earlier on that the Zoning amendment was the way to go for his project, he could of made application to the Zoning Hearing Board a year and half ago. COUNCILPERSON SANDY ZYGMONT stated she did not know about that information. COUNCILMAN VASOLI stated he is committed to go forward and have a workshop meeting on Tuesday, December 6th. MR. CASSIDY stated he needs a time frame. COUNCILMAN VASOLI stated that this workshop would include existing Council members and the new Council members. COUNCILMAN JOHN ZYGMONT stated he would like this meeting open to residents also. COUNCILMAN JOHN ZYGMONT stated that he did not want to reiterate statements made by Councilperson's Sandy Zygmont, Mark Vasoli and Nancy Guenst but something needs to be done with the property. COUNCILMAN JOHN ZYGMONT stated that he sees nice things with the project, nice pictures however he feels they need comfort on what is going to happen to the remainder of the district. This is his number one concern. Also the residents have more concerns over this project being replicated in different areas and also density issues with the Stoveworks project, these things can be worked through. COUNCILMAN JOHN ZYGMONT stated he got a sense from Mr. Cassidy that there was hostility towards the project and that is not the case. There are concerns over components of the project mainly density and parking. COUNCILMAN JOHN ZYGMONT stated these things can be worked out , and all involved should sit down and work on these matters in an open process. MR. CASSIDY stated that he agreed with Mr. Zygmont, that initially there were people who were against the project and after sitting down with him and his son, the architect for the project and they showed them what they were proposing and they changed their mind.

COUNCILPERSON SANDY ZYGMONT asked for a clarification for the minutes that Mr. Cassidy was not in front of Council in January 2003, it was January 2004. MR. CASSIDY stated that he got that date from Bruce Nicholson's notes. COUNCILPERSON SANDY ZYGMONT stated that Mr. Polaneczky, Mr. Ehrsam and Mr. Vasoli were on Council then. MR. POLANECKY was in the audience and verified the same.

COUNCILMAN ACKER stated that revitalization is important and Hatboro is aware of that due to it happening in neighboring municipalities, Upper Moreland and Warrington are currently involved in revitalization projects. COUNCILMAN ACKER stated that he and his fellow Council members agree it is a great project, it is supported but things have to be worked out. As time goes by and meetings are held residents are changing and seeing a clear picture, things have to change at the site and some concerns still have to be addressed. COUNCILMAN ACKER stated that the site needs to stay residential and not be a Walmart. COUNCILMAN ACKER stated that sitting down and working out the issues will be the best result.

MR. CASSIDY stated that COUNCILPERSON SANDY ZYGMONT was correct it was January of 2004 that they first met with Council.

Mr. Bill Tompkins, 161 Spring Avenue stated the meeting night of December 6th was also the Planning Commission meeting. COUNCILMAN VASOLI stated they would hold the workshop in another room if necessary. COUNCILMAN VASOLI stated this meeting would be advertised.

Mr. Kevin Spencer, 340 N. Penn Street. Mr. Spencer stated that at the last committee meeting a motion was made for existing Council to meet with newly elected Council members to discuss the new revisions, did that meeting ever take place. PRESIDENT TAGGART stated that he, Councilman Vasoli, Councilperson Guenst, Councilman Elect LaSorsa, the Borough Engineer, Borough Planner and Zonings Officer Heller did meet to review the nuts and bolts of the ordinance, a lot of questions were answered, those answers led to more questions and over the past two years Council has been getting bits and pieces of information and for a new person coming in it is a lot to absorb. PRESIDENT TAGGART stated the consensus of all is that redevelopment is needed, but there is only one shot available to get it right. PRESIDENT TAGGART stated they received a lot of feedback from residents and Mr. Demcisak. The major concern is to make sure it is done right, the project is not the problem, it is the Ordinance. MR. SPENCER stated that he would encourage Council to communicate with each other, be clear on your thoughts and concerns do not drag the developer on and remember that kids are inside shooting 22's in the building, one of those bullets could come out of the building and hit a person or a child, and it is cold a homeless person inside could set a fire.

COUNCILPERSON SANDY ZYGMONT stated for the record she has only received the June 12 and September 9 amendments. MR. SPENCER stated he would hope that everyone receives all the same information.

Mrs. Mary Spencer, 340 N. Penn Street. Mrs. Spencer stated she feels bad for the developer, something needs to be done. She knows that there are homeless people living in the building and she does not like homeless people around her house.

Mr. John Farnen, 201 E. Montgomery Avenue. Mr. Farnen stated that no matter what is developed at this site, the intersection of Jacksonville Road and County Line Road needs to be looked at heading towards Warminster, there is a bottleneck of traffic there now.

Mr. Lou Polaneczky, 140 Spring Avenue. Mr. Polaneczky asked Mr. Cassidy about the 10 or 11 revisions and if there were more and whom they were presented to. If the 10 or 11 revisions were acted on in an open manner and at a public meeting, Mr. Cassidy may not of been a victim of not having an open process. The lack of an open process perhaps contributed to the turn over of 5 seats on Council. In an open process residents could of offered their comments and suggestions. MR. POLANECZKY stated from this point forward the minutes need to be on the website and out to the residents so they are aware of what is going on and provide comment to assist Mr. Cassidy in moving this project forward. MR. POLANECZKY stated he is in favor of the project but has some concerns that can be worked out and beautify the area. Again this should have been an open process in the past 20 months and not a big secret. PRESIDENT TAGGART replied it has never been a secret. MR. POLANECZKY asked who did the 10 revisions and presented them. MR. CASSIDY stated that when Bruce Nicholson made the revisions/modifications they were submitted to the Engineer and every member of Council including the Solicitor. PRESIDENT TAGGART stated that plans are submitted to the Engineer for review and not every one comes back and not every revision came back to him personally, that is why the Borough has professionals to do this. PRESIDENT TAGGART stated that the 10 revisions went back and forth between the engineers and Mr. Cassidy. MR. POLANECZKY stated that perhaps an engineer status report should be presented to Council monthly. MR. CASSIDY stated that by listening to everyone this evening he is receiving a positive feel to continue with the project but at the same time this is the same vibe he received the past 20 months but he was hoping for some type of time line to be put on this and an understanding, also what questions came up at the meeting because he was not present.

MR. MICKEY GLANTZ addressed Council and the audience and stated the problem is communication. MR. GLANTZ feels that Mr. Cassidy via the mail should notify the residents in the area of the project, specifically north 2, about this project, what he is looking for and list phone numbers of Council and the Borough Manager so the residents can call Council and the Borough Manager and express their individual concerns, anyone who puts $25 million in this community is "God." Let the residents of North 2 understand in black and white what is happening, what he is doing, what he is going through and what he wants. A mailing is not a lot of money, you have to reach out to the residents because they are the ones who changed this Council, they are the ones that will make Hatboro exciting and you need 100% cooperation to make this project work. MR. CASSIDY stated he has always extended information, to sit down with his team, go to the building, see other loft apartments. MR. CASSIDY stated maybe another meeting

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, December 19, 2005

PRESENT

President Taggart, Vice President Strang, Councilpersons Acker, Vasoli, Sandy Zygmont, Guenst and John Zygmont, Mayor Celano, Borough Solicitor Meyer, Treasurer McKean, Borough Engineer Solarz, Borough Manager Pantano, Fire Marshal Stauch, Chief Gardner, Code Enforcement Officer Heller and Fire Chief Zollers.

ABSENT

CALL TO ORDER

PRESIDENT TAGGART called the meeting of the Council of the Borough of Hatboro to order at 7:02 p.m.

MINUTES

PRESIDENT TAGGART stated that Council is in receipt of the minutes of the November 21, 2005 Council meeting. COUCILPERSON SANDY ZYGMONT stated there was one correction needed on second to last page, first paragraph, should say that Mr. Ehrsam and Mr. Polaneczky were on Council. This motion was SECONDED by COUNCILMAN STRANG and APPROVED by Council unanimously.

PRESIDENT TAGGART stated that Council is in receipt of the minutes of the November 2, 2005 Special Council Meeting. COUNCILPERSON SANDY ZYGMONT stated there was one correction needed on the first page, second paragraph from the bottom, should say she said we have applied. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT TAGGART announced that he would like to make a presentation to several current and former members of Council.

PRESIDENT TAGGART asked MAYOR CELANO to please come forward to be honored for his many years of service to Hatboro. MAYOR CELANO served the Borough as Mayor from 1981 to 2005. PRESIDENT TAGGART shared a story of when

he and his wife were in the Cayman Islands they met a couple and when they told them where they were from, the couple said that the Borough had to coolest mayor. MAYOR CELANO thanked everyone for their support and the award. He thanked his wife for her years of support and love. MAYOR CELANO stated it has been a great ride for him and his family from living here to owning a business here and being Mayor. MAYOR CELANO stated he found his niche, his home, his future and his fortune in Hatboro.

PRESIDENT TAGGART asked Dr. Bucky Clark to please come forward to be honored for his years of service to Hatboro. PRESIDENT TAGGART stated that Dr. Clark served Council since 1977 and with his latest years, 2002 to 2005 as Council President. PRESIDENT TAGGART stated he was fortunate enough to have served with Dr. Clark for 4 years and enjoyed the good working relationship they had. PRESIDENT TAGGART stated that Dr. Clark has dedicated a lot of time and his life to the Borough of Hatboro in many different organizations in addition to Borough Government. Dr. Clark stated they brought him home and he has not left Hatboro since. Dr. Clark thanked his colleagues both past and present including past members of Council in the audience, present sitting members, Borough Solicitor Meyer, Borough Manager Pantano, Chief Gardner and Public Works Superintendent/Fire Marshal Stauch.

PRESIDENT TAGGART asked CONCILPERSON SANDY ZYGMONT to please come forward to be honored for her years of service to Hatboro. PRESIDENT TAGGART stated that he and Councilperson Sandy Zygmont came onto Council at the same time. PRESIDENT TAGGART stated that Councilperson Sandy Zygmont also served as Vice President. PRESIDENT TAGGART thanked Councilperson Sandy Zygmont for her service and stated that at times they did not see eye to eye but when the fighting is over they put it behind and moved on. PRESIDENT TAGGART stated he respects anyone who sits on Council. PRESIDENT TAGGART stated he respects Councilperson Sandy Zygmont for her difference of opinions and it has been an honor for him to serve with her. COUNCILPERSON SANDY ZYGMONT stated she would save her comments for later in the meeting.

PRESIDENT TAGGART asked COUNCILMAN ACKER to please come forward to be honored for his years of service to Hatboro. PRESIDENT TAGGART stated that Councilman Acker has served Hatboro for many years from 1983 until 2005. PRESIDENT TAGGART stated that Councilman Acker got him involved in politics and he has enjoyed serving with him, he is an asset to the Borough and everyone respects him. PRESIDENT TAGGART stated even he and Councilman Acker did not agree on things but still worked well together and he was able to make his blood pressure rise, he considers Councilman Acker a friend and reminded all in the audience that Councilman Acker even offered to donate a kidney. MAYOR CELANO stated that the reason Councilman Acker was here in politics was because of his wonderful parents. COUNCILMAN ACKER thanked his father, who was his inspiration to enter politics. He also thanked his wife Judy for 22 years of her support with the meals and being there with their sons while he was attending to Borough business. COUNCILMAN ACKER stated he would miss everyone.

VICE PRESIDENT STRANG asked PRESIDENT TAGGART to please come forward to be honored for his years of service to Hatboro. VICE PRESIDENT STRANG stated that President Taggart has served Hatboro for the past 4 years, 22 months as Vice President and the last 2 months as President. VICE PRESIDENT STRANG stated that President Taggart has given a lot to the Community and the community has flourished because of President Taggart. PRESIDENT TAGGART thanked everyone; he said it is an honor to serve the community. He enjoyed his time on Council and when he went home it was a good feeling that he contributed to the community. He stated that it is hard to please everyone all the time, and his decisions were honest and sincere and for the betterment of Hatboro. He thanked the fire department and police department and appreciated their cooperation and help as he chaired the Public Safety Committee. He stated Hatboro is a great place and safe place to live and work.

BOROUGH MANAGER'S REPORT

BOROUGH MANAGER PANTANO stated he had several items to report on. The first item was the **York Road Revitalization – Hometown Streets & Safe Routes (HTSSRS).** The executed contract documents have been received from the County. The engineers are preparing a base plan that will be presented to Council at a workshop meeting so Council can discuss the details of the project. BOROUGH MANAGER PANTANO reminded Council that this is a $349,000 grant that is being used as a match for the $800,998 grant that was received through the Hometown Streets & Safe Routes to School program. BOROUGH MANAGER PANTANO stated that this project is a good example as to the necessity of having a reserve fund to use for cash flow. This grant is a reimbursable grant once the project has begun construction. The Borough must pay the engineering up front until the reimbursement request can be paid. COUNCILPERSON SANDY ZYGMONT asked if the reimbursement is in steps throughout the project or in a lump sum at the end of the project. BOROUGH MANAGER PANTANO stated each one is done differently; this project since the County is paying for the engineering, once the construction starts then it will be a lump sum. COUNCILPERSON SANDY ZYGMONT asked if the County pays the engineering. BOROUGH MANAGER PANTANO stated that the County does pay for all the engineering costs, each grant is different, the County grant is for 90% of the project and the State grant is for 100% of the construction, it is difficult because the Borough only receives 90% of the engineering but the State pays for 100% at construction, the Borough needs to then go back and get the other 10% of engineering that was not received in the beginning, which has been worked out with the County and there should be no problem getting that, but since it is a reimbursement grant it will not occur until all the engineering and design is done and the project is awarded, then they will refund 100% of the engineering cost. COUNCILPERSON SANDY ZYGMONT asked how long this process takes. BOROUGH MANAGER PANTANO stated it is a fairly quick process, should occur within one-month period of time. COUNCILPERSON SANDY ZYGMONT asked if

this grant was part of the $180,000 for the black streetlights. BOROUGH MANAGER PANTANO stated yes, the black traffic lights.

BOROUGH MANAGER PANTANO stated the second item in his report was the **MAIN STREET PROGRAM FUNDING**. BOROUGH MANAGER PANTANO stated as discussed at the December Committee meeting he sent a letter of support to the Montgomery County Commissioners concerning the idea of including Main Street funding as an eligible cost under the County Revitalization Program. BOROUGH MANAGER PANTANO stated, as of tonights meeting he had not received a response back from the County Commissioners, but will inform Council when he receives a response. COUNCILPERSON SANDY ZYGMONT asked if the County was removing recreation and replacing with Main Street. BOROUGH MANAGER PANTANO stated that in the letter the County was proposing to do away with the Parks aspect of the plan. COUNCILPERSON SANDY ZYGMONT asked if this would have any reflection on the CDBG grant. BOROUGH MANAGER PANTANO stated no they are different programs.

BOROUGH MANAGER PANTANO stated the third item in his report was the **WARMINSTER ROAD PAVING PROJECT.** BOROUGH MANAGER PANTANO reported the road was paved and the bill was received from Upper Moreland Township. The bill was within a couple of thousand dollars from original estimate. BOROUGH MANGER PANTANO stated that the Borough received a $10,000 grant from Senator Greenleaf for this project saving the Borough $10,000 for this paving project. COUNCILPERSON SANDY ZYGMONT asked if Council had already voted on this project. BOROUGH MANAGER PANTANO stated no not on the final bill, he just received this information.

BOROUGH MANAGER PANTANO stated the fourth item in his report was the **OPEN SPACE PLAN UPDATE**. BOROUGH MANAGER PANTANO stated that comments were received from the County Open Space Board concerning the draft Open Space Plan. The County stated the plan was very well prepared and they only had a few comments. One comment related to the Pennypack Creek corridor and greenway. The County has emphasized the importance of the Pennypack Creek as a natural resource and a regional trail corridor. BOROUGH MANAGER PANTANO stated that we are still waiting for the comments from the State, once they are received then Council will have to meet either at a workshop or committee meeting and provide direction on how to proceed with the aspect of the comments and finalize the plan. COUNCILPERSON SANDY ZYGMONT stated she thought the County was asking for a plan on how the Borough was going to maintain the entire creek and not just the bridge area and also if the Consortium Report has been made available yet. BOROUGH MANAGER PANTANO stated that the Consortium Report is still not available. BOROUGH MANAGER PANTANO stated the County was talking about the entire length of the creek and trails along the creek with emphasis on the importance of the Pennypack Creek as a natural resource. BOROUGH MANAGER PANTANO stated that once the State comments are received then Council could schedule a workshop meeting. COUNCILMAN JOHN

perhaps similar to the one at the firehouse and see how many people show up. COUNCILPERSON SANDY ZYGMONT stated that this is not just about the project but the Ordinance. MR. GLANTZ feels that reaching out to the residents and community will assist Mr. Cassidy in achieving his goal, no one has done anything this magnitude for Hatboro. MRS. SPENCER stated there have been changes since the last meeting at the firehouse. MR. CASSIDY stated that maybe someone could set up a meeting perhaps at the school and he will make his team available for residents/people to stop by and talk about their concerns. MRS. SPENCER stated perhaps if the meeting was held on the actual site then minds would be changed. MR. CASSIDY stated no one would want to be in that building. MR. CASSIDY stated that he would have to speak to Council over legal concerns and other issues and then perhaps maybe the Elm Street Committee could put together a meeting.

COUNCILMAN JOHN ZYGMONT made a MOTION to move the ordinance forward for a vote in its present condition. This motion was SECONDED by COUNCILMAN VASOLI, and was opposed Council unanimously.

ADJOURNMENT

PRESIDENT TAGGART stated the October 24, 2005 Council meeting was adjourned at 9:04 P.M.

Respectfully Submitted,

Joseph Pantano /dls

JOSEPH F. PANTANO
Borough Manager

Transcribed by Diane Valesky

ZYGMONT asked about a time frame for receiving comments from the State. BOROUGH MANAGER PANTANO stated he has been trying to contact our representative Victor Banks to see when the State would address our comments. BOROUGH MANAGER PANTANO stated that Victor Banks did return his call today but he was not in the office. COUNCILPERSON SANDY ZYGMONT asked Borough Manager Pantano if he made the corrections she noted in the plan. BOROUGH MANAGER PANTANO replied he believed the August supplement had some corrections in it. He stated they might wait until all the comments were received and then make the changes so not to be repetitive.

BOROUGH MANAGER PANTANO stated the fifth item in his report was the **POOL GRANT UPDATE.** BOROUGH MANAGER PANTANO stated that he wanted to provide Council with an update but he was not sure he had all the information. BOROUGH MANAGER PANTANO stated he did receive a call from Representative Allyson Schwartz office stating that the Borough was officially confirmed that the Borough received the Federal Grant. The Borough had to submit more information based on the Strings Attached manual that was supplied to the Borough by DCNR. BOROUGH MANAGER PANTANO stated the engineers put a lot of work into this project and the additional information. BOROUGH MANAGER PANTANO stated that he has been trying to contact our representative at DCNR to see what the next step is but has not been able to speak with him as of yet. BOROUGH MANAGER PANTANO stated when he has more information he will advise Council. COUNCILPERSON GUENST asked who has comprised a list of the final renovations. COUNCILPERSON SANDY ZYGMONT stated she has given a lot of information to the new council; she had the feasibility study, which she gave. BOROUGH MANAGER PANTANO stated that presently the grant application and discussions have been based on the report by Wade Associates, approximately a $600,000 project. BOROUGH MANAGER PANTANO stated that since then there has been discussion amongst Council about the costs and the extent of the renovations. BOROUGH MANAGER PANTANO stated the next step should be to see if Wayne Wade could be the Borough consultant. Wade Associates did respond for the Request for Proposal and that he has the documentation. COUNCILPERSON SANDY ZYGMONT made a suggestion to COUNCILPERSON GUENST to include the officers of the swim team when discussing the pool. COUNCILMAN JOHN ZYGMONT requested that Borough Manager Pantano make sure that all new incoming Council members receive a copy of the feasibility study.

BOROUGH MANAGER PANTANO stated the sixth item in his report was the **LIQUID FUELS AUDIT.** BOROUGH MANAGER PANTANO stated the audit was completed in November. The audit covered $110,877 in expenditures. The Borough was in compliance with all state requirements and the Auditor had no negative findings. BOROUGH MANAGER PANTANO stated that he provided Council with a copy of the exit conference; it was attached to his monthly report.

BOROUGH MANAGER PANTANO stated the seventh item in his report was the **2005 AUDIT.** BOROUGH MANAGER PANTANO stated he was in receipt of a proposal/letter of engagement from the present Auditor, France, Anderson, Basile &

Company for the 2005 Audit. The proposal is for $8350, only $150 more than this year but still significantly less than in past years. BOROUGH MANAGER PANTANO stated that in past years Council has either appointed the Auditor at the December meeting or has waited until the January meeting. BOROUGH MANAGER PANTANO stated that we can proceed now or wait until January or request new Proposals, he has provided the information to Council for their review. COUNCILPERSON SANDY ZYGMONT stated she feels this Council should let the new Council appoint an Auditor. COUNCILMAN ACKER agreed stating that is when the appointments occur and this should be done at that time also. COUNCILPERSON SANDY ZYGMONT asked if the Auditor included a management letter. BOROUGH MANAGER PANTANO stated yes. COUNCILMAN JOHN ZYGMONT asked Borough Manager Pantano to provide a copy of the Audit Report to the new incoming Council members.

COUNCILPERSON SANDY ZYGMONT asked about the Moreland Townhomes water study. She stated she is aware that there were some problems there and was inquiring what this was and if the problem has been corrected. CODE ENFORCEMENT OFFICER HELLER stated that the original engineer did calculations at the site for the builder. BOROUGH ENGINEER SOLARZ stated that there were some questions raised about the field survey information and original calculations. The applicants engineer felt that the information provided was sufficient and it was later determined that was not the case. BOROUGH ENGINEER SOLARZ stated that the builder had to go back to square one and get DEP approvals. COUNCILPERSON SANDY ZYGMONT asked if the neighbors behind this area are getting any water. BOROUGH ENGINEER SOLARZ stated no, there were initial concerns at the beginning of the project but none since then. BOROUGH ENGINEER SOLARZ stated as of this date this is a DEP regulatory issue, and the builder cannot receive the DEP check in the box until he satisfies some of the calculations. COUNCILPERSON SANDY ZYGMONT asked if this includes storm water drainage. BOROUGH ENGINEER SOLARZ answered yes, there have been delays with DEP, and the application was lost a couple of times.

PRIVILEGE OF THE FLOOR

Mr. William Tompkins, 161 Spring Avenue. Mr. Tompkins stated that he sees the Zoning Amendment change is on the agenda for this evening for discussion. He stated there was a group of people who had recently met to discuss the possibility of changing the HI District. Mr. Tompkins stated that he has not gotten any feedback on whether this group should continue to meet or if any times have been picked to meet again. COUNCILMAN VASOLI stated he would look at his calendar and try to schedule a time for the group to meet again.

TREASURER'S REPORT

TREASURER MCKEAN reported that as of 11/30/05 the balances invested in Commerce Bank totaled $5,698,766.22. Interest credited for the month was $21,625.87.

Average yield for November was 4.30%.

TREASURER MCKEAN thanked everyone and stated it was a pleasure to have worked with the outgoing Council and it is great they have given so much back to the community. TREASURER MCKEAN wished everyone a Merry Christmas.

PAYMENT OF BILLS

PRESIDENT TAGGART stated that Council is in receipt of the **warrant list and manual check list**. PRESIDENT TAGGART made a MOTION to approve the warrant list and manual check list. COUNCILPERSON SANDY ZYGMONT asked Chief Gardner about the water bill for the police station and why it was so high, if there was a leak. CHIEF GARDNER stated there was a leak, one of the toilets in the cell leaked into the basement. CHIEF GARDNER stated that has been repaired but recently he discovered a pipe that leads to a sink was leaking, the sink was turned off as soon as it was discovered causing the higher than normal bills. COUNCILPERSON JOHN ZYGMONT advised Chief Gardner to contact the Sewer Authority and let them know there was a leak since the sewer billing is a result of the water usage. COUNCILPERSON SANDY ZYGMONT asked if this has been repaired. CHIEF GARDNER stated Superintendent Stauch has looked into this and the problem is with the valve which is old from as far back as 1950, and only certain fixtures can be used in a jail cell, and it appears that obtaining these parts may be difficult or not at all. CHIEF GARDNER stated that a few years ago there was a similar problem where the toilet was ripped from the wall by a prisoner, a new unit had to be custom made which was very expensive, the prisoner ultimately paid for it as part of restitution. CHIEF GARDNER stated presently it is working and it was fixed at the lowest cost possible. CHIEF GARDNER stated he preferred to watch the problem before investing a lot of money into it. COUNCILPERSON SANDY ZYGMONT asked about the Gilmore Bills, she stated we are over budget on engineering costs, the 05 Paving program is on this bill and the other is under the bond issue. BOROUGH MANAGER PANTANO stated there are two paving programs currently underway, one is the CDBG. COUNCILPERSON SANDY ZYGMONT stated she is questioning the 05 Paving Program the bill for $73.13 and the 05 General Paving which is under the Bond Issue Account. BOROUGH MANAGER PANTANO stated the bond issue account was for the project done on Home Road and that area and the $73.13 bill he was not sure off it could have been a mistake and put into the general fund. COUNCILPERSON SANDY ZYGMONT stated this happened last month where the bill was split. BOROUGH MANAGER PANTANO stated he checked last months bill and could not find any problems. COUNCILPERSON SANDY ZYGMONT questioned the 04 DCNR grant for $447.25 and what was that for. BOROUGH MANAGER PANTANO stated it was for 05 work. BOROUGH MANAGER PANTANO stated he spoke with Borough Engineer Dougherty, this is confusing because Gilmore applied and did the application for the CDBG they opened an

account and called it the 04 Paving Program but when the work was done it was really 05, it is listed as 04 but is really 05 work. COUNCILPERSON SANDY ZYGMONT stated she was asking about the DCNR bill. BOROUGH MANAGER PANTANO stated this was for the basketball courts that was bid but was not awarded. COUNCILPERSON SANDY ZYGMONT questioned the bill to GranTurk Equipment Company and if that was for the trash truck. SUPERINTENDENT STUACH stated yes. COUNCILPERSON SANDY ZYGMONT asked about the GSA Corporation payment and if there was more than two payments. SOLICITOR MEYER stated there were only two.
COUNCILPERSON SANDY ZYGMONT asked about the bill for Informant Technologies. CHIEF GARDNER stated this was a yearly bill for software and support for the police data base management system. COUNCILPERSON ZYGMONT asked if this was for the State. CHIEF GARDNER stated it is not the state, but it is a program that is commonly used by police departments, it is one of three programs, Informant Technolgies, Codey and Alert. Informant Technologies is the least expensive. This program creates all police reports, criminal complaints and record keeping. This fee includes licensing and software support, it is paid annually and includes three user licenses that allow three users on the system. CHIEF GARDNER reported that this fee includes the updates and on site support and he does have them out usually twice a year.
COUNCILPERSON SANDY ZYGMONT questioned the bill from Tim Kurek and was that for the Curative Amendment. ZONING OFFICER HELLER stated he is a court reporter and it was not for the curative amendment it was for a Zoning Hearing Board meeting that was cancelled and he did not notify the Court Reporter.
COUNCILPERSON SANDY ZYGMONT asked why October Peco bills were being paid now and is there any December Peco bills yet. BOROUGH MANAGER PANTANO stated he is not aware if there are any December bills yet. COUNCILPERSON SANDY ZYGMONT asked again why October was being paid now. BOROUGH MANAGER PANTANO stated the bookkeeper must have just put them in now. COUNCILPERSON SANDY ZYGMONT asked Borough Manager Pantano for a copy of the Reed Smith bills listed. BOROUGH MANAGER PANTANO stated ok. COUNCILPERSON SANDY ZYGMONT asked about the Thompson GA bill and what it was for. CHIEF GARDNER stated it was for parking tickets, the warrant list stated park tickets, but Chief Gardner verified it was for parking tickets. COUNCILPERSON SANDY ZYGMONT asked if we were going to use them and CHIEF GARDNER replied yes, they ran out of them. CHIEF GARDNER also stated he supports parking enforcement.
COUNCILPERSON SANDY ZYGMONT asked about the status of the Loller Building project, there are still bills to the architect and Gilmore. BOROUGH MANAGER PANTANO stated he provided Council with a copy of the structural report that was done and he has not received anything else other than what has been provided to Council.
COUNCILPERSON SANDY ZYGMONT asked if the bill was for that. BOROUGH MANAGER PANTANO stated he believes so they are a month or two old.
COUNCILPERSON ZYGMONT asked if the Urban Research & Development bill was coming from grant money and what it is for. COUNCILMAN VASOLI stated it should be escrow and is for the review of the Zoning Ordinance and the applicant must pay for that. COUNCILPERSON SANDY ZYGMONT stated she was aware that the applicant had to pay. COUNCILMAN VASOLI stated he made that clarification for the audience.
COUNCILPERSON SANDY ZYGMONT asked if the fire company got a new chevy.

COUNCILMAN ACKER asked about the Delaware Valley Bobcat bill. SUPERINTENDENT STAUCH stated one of the front-end loaders is disabled and will cost approximately $25,000 to $30,000 to replace. He is currently renting a bobcat for the next three months to assist with snow removal. COUNCILMAN ACKER asked if this was the total cost for the rental. SUPERINTENDENT STUACH stated this was a per month charge. COUNCILPERSON GUENST asked about the Dell invoice for two servers. BOROUGH MANAGER PANTANO and SUPERINTENDENT STAUCH stated this was for Public Works computers. They were budgeted but when the computers were replaced at Borough Hall, Public Works was not included. COUNCILPERSON GUENST asked if the Borough ever checked into Dells leasing program. BOROUGH MANAGER PANTANO stated the computers were purchased through Dell but leased through a leasing company. BOROUGH MANAGER PANTANO stated he was not aware of any leasing program through Dell; the computers were done through the state contract through Dell. COUNCILPERSON GUENST stated that Dell does have a leasing program. This MOTION was SECONDED by COUNCILMAN JOHN ZYGMONT and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR CELANO thanked everyone again including his wife of 51 years. Hatboro has been his home, his life and his future. He and his wife have been blessed to have lived and worked here. He is appreciative of all the people he has met and grown to know. He is grateful for all the weddings he has performed over the years.

SOLICITOR'S REPORT

SOLICITOR MEYER reported he attended a conference in chambers with Judge DelRicci, attorney for Zoning Hearing Board and attorney for appellant Brubaker on their petition to permit additional discovery on their appeal for the Zoning Hearing Board, which denied application for a home massage business. The petition was denied.

SOLICITOR MEYER prepared several drafts of the proposed Mixed Use Ordinance in the HI District.

SOLICITOR MEYER prepared the TAN – Tax Anticipation Note.

SOLICITOR MEYER told Mayor Celano he was going to miss him and miss following him on the agenda. SOLICITOR MEYER wished the Mayor well, along with Councilpersons Sandy Zygmont and Chuck Acker as well as President Taggart, he stated he enjoyed working with everyone very much and looks forward to working with the new Council and Councilman Vasoli and Strang.

SOLICITOR MEYER wished all a Merry Christmas.

CHIEF'S REPORT

CHIEF GARDNER advised Council that he and his department after receiving information at the December 12, 2005 Committee meeting, the next day went around the Borough, primarily the Northeast section and issued ten warnings to property owners to clear sidewalks within 24 hours of this notice, the property owners should of did this within 24 hours of the cessation of snow as per the ordinance. CHIEF GARDNER stated that most of the property owners complied, however three property owners did not and were issued citations the next day. CHIEF GARDNER wanted to thank Borough Hall staff particularly Diane Valesky for notifications to property owners and providing the necessary information on property owners. CHIEF GARDNER asked if in the future property owners would clear snow as per the Ordinance. It makes it much easier, the snow melts and then refreezes making it difficult to walk on and a safety issue and property owners need to comply.

CHIEF GARDNER wanted to acknowledge and thank the Horsham Police Department; on Monday, December 12, 2005 Horsham PD had their yearly program Project Blue Light. This program is done around Christmas each year to honor police officers that have been killed in the line of duty. This year Horsham PD ceremony was dedicated to a fallen Hatboro Police Officer, Chief Warren Kramer, Hatboro Police Chief who was killed in the line of duty in 1935 at York Road and Moreland Avenue while assisting a motorist he was struck by another vehicle and killed. Horsham PD remembered this and dedicated the tree lighting in his honor and Chief Gardner is grateful for that. CHIEF GARDNER also stated it was good to know that someone killed so long ago was still in peoples memory. CHIEF GARDNER also stated Chief Kramers name is on the National Law Enforcement Memorial in Washington D.C.

CHIEF GARDNER wished everyone a safe and happy holiday season and reminded all to remember to drive safely and wear your seatbelt.

SUPERINTENDENTS REPORT

SUPERINTENDENT STAUCH submitted a report in advance.

SUPERINTENDENT STAUCH wished everyone a Merry Christmas and a Happy New Year. SUPERINTENDENT STAUCH stated it was a pleasure working with Council.

FIRE MARSHALS REPORT

FIRE MARSHAL STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS
ADMINISTRATION REPORT - MR. TAGGART

PRESIDENT TAGGART made a MOTION to release a portion of escrow payments for Cobblestone Court in the amount of $113,714.79. This motion was SECONDED by

COUNCILPERSON JOHN ZYGMONT and approved by Council unanimously.

PRESIDENT TAGGART made a MOTION to release escrow payments for Impact Thrift in the amount of $16,844.99. This motion was SECONDED by VICE PRESIDENT STRANG and approved by Council unanimously.

PRESIDENT TAGGART made a MOTION to submit a bill for payment by the Authority for the Southern Gateway Revitalization for $3309.48. This motion was SECONDED by COUNCILPERSON GUENST and approved by Council unanimously with COUNCILMAN JOHN ZYGMONT abstaining due to being on the Authority.

BUDGET & INSURANCE – VICE PRESIDENT STRANG

VICE PRESIDENT STRANG made a MOTION to approve the adoption of the 2006 Budget. This motion was SECONDED by COUNCILPERSON GUENST and approved by Council with COUNCILPERSON SANDY ZYGMONT voting no.

COUNCILPERSON SANDY ZYGMONT stated she is opposed due to the excessive money and administration salaries that have not been discussed.

VICE PRESIDENT STRANG made a MOTION to approve the adoption of the 2006 Tax Ordinance #963. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council with COUNCILPERSON SANDY ZYGMONT voting no.

VICE PRESIDENT STRANG made a MOTION to approve the 2006 TAN – TAX ANTICIPATION NOTE from Commerce Bank at 3.37% for $300,000. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council unanimously.

COUNCILPERSON JOHN ZYGMONT asked about the document left at Council chairs this evening. SOLICITOR MEYER stated it was the TAN, he has prepared this document for years and remembered over the weekend that some of Council were new and never saw this before. SOLICITOR MEYER apologized for not getting it to Council earlier but the other members of Council have seen this document many times before.

COUNCILPERSON SANDY ZYGMONT asked why Commerce Bank. BOROUGH MANAGER PANTANO stated because they were the only ones to bid. He called other institutions to see why they did not bid. COUNCILPERSON SANDY ZYGMONT stated in past years Council has received other bids.

VICE PRESIDENT STRANG also wished all a Merry Christmas and Happy New Year, all the best to the new members of Council and the very best to the members who are leaving.

PARKS, RECREATION & COMMUNITY AFFAIRS – MR. VASOLI

COUNCILMAN VASOLI stated he had nothing to report.

HEALTH & ENVIRONMENT – MRS. ZYGMONT

COUNCILPERSON SANDY ZYGMONT stated she had nothing to report for the last time. COUNCILPERSON SANDY ZYGMONT wished all a Merry Christmas, Happy New Year and Happy Kwanzaa.

PUBLIC SAFETY – PRESIDENT TAGGART

PRESIDENT TAGGART stated he had nothing to report.

PRESIDENT TAGGART thanked everyone for allowing him to serve this great Borough of Hatboro for the past four years. PRESIDENT TAGGART wished everyone a safe and happy holiday. PRESIDENT TAGGART thanked Police Chief Gardner and Fire Chief Zollers, stated it was a pleasure working with them both and he was appreciative of all their help and Happy Holidays. PRESIDENT TAGGART also thanked his fellow Council Members and wished best of luck to the new members.

PUBLIC WORKS & PUBLIC PROPERTIES – MR. ACKER

COUNCILMAN ACKER made a MOTION to approve the purchase of a new Trash Truck at a cost of $136,914.00. COUNCILPERSON ACKER stated by utilizing the State PACC it will save the Borough approximately $30,726.00 on this purchase. COUNCILPERSON SANDY ZYGMONT asked if this was being paid for from the Bond Issue. BOROUGH MANAGER PANTANO stated yes, it was listed in the original bid document. COUNCILMAN JOHN ZYGMONT asked Solicitor Meyer if there was any reason why this has to be paid out of the Bond issue Funds. SOLICITOR MEYER stated it did not have to be done this way. SOLICITOR MEYER stated the reason why money was borrowed was for this particular issue.

SOLICITOR MEYER stated the purchase can be approved tonight and the fund/line item where the payment was coming from can be anytime.
This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council unanimously.

COUNCILMAN ACKER thanked elected officials past and present, staff, department heads and the different departments for all their support over the years. COUNCILMAN ACKER wished the new members well. COUNCILMAN ACKER stated he has fond memories and great friendships from his time on Council.

ZONING, DEVELOPMENT & HISTORICAL PRESERVATION – MR. VASOLI

COUNCILMAN VASOLI wished the departing Council and Mayor the best of luck and wished the new Council and Mayor the best of luck also and he is looking forward to working with the new members. COUNCILMAN VASOLI also wished everyone a happy and safe holiday.

COUNCILMAN VASOLI made a MOTION to approve Zoning Amendment (Ordinance 964) draft copy dated 12-15-05. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council with COUNCILPERSON SANDY ZYGMONT voting no.

COUNCILPERSON SANDY ZYGMONT stated she voted no due to her opposition to the density and street parking in the entire area.

COUNCILMAN VASOLI made a MOTION to approve the Southern Gateway Project, alternate #2, main portion of project not including the sign. COUNCILMAN JOHN ZYGMONT questioned whether four spaces would be created higher in the lot to compensate for the spaces taken away in the lower lot. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council unanimously.

COUNCILMAN MARK VASOLI asked Borough Engineer Solarz if the sign design was the original design. BOROUGH ENGINEER SOLARZ stated yes. COUNCILMAN VASOLI liked that design. BOROUGH ENGINEER SOLARZ reviewed with Council the different designs. Mr. Bill Tompkins, 161 Spring Avenue stated he liked the original design also but asked if the wording could be changed to incorporate the hat into the body of the sign.
BOROUGH ENGINEER SOLARZ discussed the materials used and the color schemes shown on the plan, these items are worked out later and presented to the public at a later time when the design is finalized.

COUNCILMAN VASOLI made a MOTION to approve the sign design as received by the Borough Engineer. This motion was SECONDED by COUNCILMAN JOHN ZYGMONT and approved by Council unanimously.

COUNCILMAN MARK VASOLI made a MOTION to not oppose the Zoning Hearing Board application for 399 Springdale Avenue contingent upon the applicant agree to changing façade, relocation of parking spaces on plan dated 10-27-05 and landscaping issues discussed. COUNCILMAN VASOLI asked the applicant Mr. Vito Braccia to please come forward and speak with Council and go over the plans with Council since they were recently received. The Zoning Hearing Board will meet to discuss this application on January 4, 2006. This motion was SECONDED by COUNCILPERSON GUENST and approved by Council unanimously.

OLD BUSINESS

COUNCILPERSON SANDY ZYGMONT asked if any money has been received for

open space from Cobblestone Court. BOROUGH MANAGER PANTANO stated that was part of the requirement for the Land Development Process and he believed that all requirements were met but he would check on it.

NEW BUSINESS

COUNCILMAN JOHN ZYGMONT stated that the vacancies on the various boards and commissions needed to be filled. He asked that anyone interested send a letter on or before Friday, January 6. 2006. COUNCILMAN JOHN ZYGMONT also asked for this information to be put on the website and community channel. COUNCILMAN VASOLI asked to include existing members. COUNCILPERSON SANDY ZYGMONT stated that existing members would still have to apply.

COUNCILMAN JOHN ZYGMONT made a MOTION to advertise the Council Reorganization meeting for Tuesday, January 3, 2006 at 7:00 P.M. This motion was SECONDED by COUNCILPERSON GUENST and approved by Council unanimously.

COUNCILMAN JOHN ZYGMONT wished all a Merry Christmas and a Happy New Year.

COUNCILPERSON NANCY GUENST wished a Happy Holiday to all.

COUNCILPERSON SANDY ZYGMONT stated that 4 years ago she was elected and was sworn in and immediately appointed Vice President and was scared to death but learned. COUNCILPERSON SANDY ZYGMONT stated from the bottom of her heart she wanted to thank her family for putting up with her and the residents and voters of the Borough for allowing her to serve. She always tried to do her best, do her homework and vote from the heart for the residents. COUNCILPERSON SANDY ZYGMONT stated she was proud, in the last election 760 plus people thought she was doing a good job and she does not feel like a loser even though she did not make it, she is ok. COUNCILPERSON SANDY ZYGMONT for putting up with her for the past four years. COUNCILPERSON SANDY ZYGMONT thanked Council for allowing her to get a lot of things accomplished in the first two years, which made her a stronger person. She thanked the Mayor for being her buddy for the last four years, the Mayor affectionately called her Mama. COUNCILPERSON SANDY ZYGMONT stated the Mayor has done so much for the Borough and has listened to her as they sat next to each other for four years and she will miss him. COUNCILPERSON SANDY ZYGMONT congratulated the new Council, told them they had a lot on their plate and to remember why they are sitting up there and to not forget the residents. COUNCILPERSON SANDY ZYGMONT thanked the employees, she said the best part of her job was interacting with the employees she stated she worked well with them and she was not going to name employees specifically but stated those employees will know who she is referring too, it was fun, these employees work for the better of Hatboro and do a good job, she will miss

that and wished those employees well. COUNCILPERSON SANDY ZYGMONT told Superintendent Stauch not to worry she will still be walking around town. COUNCILPERSON SANDY ZYGMONT wished the Borough well.

PRIVILEGE OF THE FLOOR

FIRE CHIEF FRED ZOLLERS stated that recently the Enterprise Fire Company has responded to several close calls, he wanted to remind everyone about unattended candles, especially candles around Christmas decorations. FIRE CHIEF FRED ZOLLERS reminded all to check their extension cords, should not be like an octopus and also for those house with fuse boxes do not stick pennies in the fuses to keep the lights on. FIRE CHIEF ZOLLERS also reminded all not to store cereal boxes, cardboard or other flammables in the oven it is not a good idea, it has happened before, forget these items are in the stove and turn the stove on. FIRE CHIEF ZOLLERS also stated chimneys should be checked every year and remember to check your smoke detectors.

FIRE CHIEF ZOLLERS thanked the FIRE MARSHALS, Bob Stauch, Butch Thomas and Joe Reading, the Police Department, Second Alarmers, for all their help this year. FIRE CHIEF ZOLLERS also thanked the outgoing Council for all their help and support.

COUNCILPERSON NANCY GUENST stated that over the past weekend she heard the fire sirens and thought her neighbors house was on fire and went out to check only to see Santa riding around on the fire truck for the holidays and she wanted to say thank you to the fire company for doing this for the children.

EXECUTIVE SESSION

PRESIDENT TAGGART stated there would be no executive session this evening.

ADJOURNMENT

PRESIDENT TAGGART stated the December 19, 2005 Council Meeting was adjourned at 9:05 P.M.

Respectfully Submitted,

Transcribed by Diane Valesky

BOROUGH OF HATBORO

REORGANIZATION MEETING

January 3, 2006

7:00 P.M.

MAYOR HAWKES stated that tonight is the **reorganization meeting** of 2005-2006. The invocation was said by Mrs. Barbara LaSorsa.

ADMINISTRATION OF OATH OF OFFICE

MAYOR HAWKES announced that he was sworn in earlier in the day by District Justice Paul Leo.

MAYOR HAWKES administered the oath of office to Councilperson Nancy Guenst.

MAYOR HAWKES administered the oath of office to Councilman Vincent LaSorsa.

MAYOR HAWKES administered the oath of office to Councilman Edward Moll.

MAYOR HAWKES administered the oath of office to Councilman Bill Tompkins.

MAYOR HAWKES administered the oath of office to Councilman John Zygmont.

MAYOR HAWKES administered the oath of office to Tax Collector Judith Emig.

REORGANIZATION MEETING

MAYOR HAWKES asked for a nomination for **President of Council**. COUNCILMAN LASORSA made a motion to nominate Councilman Zygmont. MAYOR HAWKES stated the motion did not require a second and was APPROVED by Council unanimously.

MAYOR HAWKES asked for a nomination for **Vice President of Council**. PRESIDENT ZYGMONT made a motion to nominate Councilman LaSorsa. MAYOR HAWKES stated the motion did not require a second and was APPROVED by Council unanimously.

REMARKS FROM MEMBERS OF COUNCIL

COUNCILPERSON GUENST thanked the voters of Hatboro for electing her and she considers this an honor and privilege to sit on Council and will do her best to serve the town and if anyone thinks she is not doing a good job to please call her.

VICE PRESIDENT LASORSA thanked the voters for their support and confidence in their abilities to improve the quality of life in Hatboro, and make Hatboro a great place to live and work. He also thanked his wife and family for their support and confidence. He also thanked his fellow Councilpersons for working so hard to make this a reality.

COUNCILMAN MOLL stated he was humbled at the opportunity to serve the residents of Hatboro, he thanked the voters for allowing him to serve them and to him it was truly an honor and privilege and he will strive for the best interests of the people of Hatboro who only deserve the best.

COUNCILMAN STRANG congratulated all the new members of Council on their victory and accepting the position, which is always not easy. He stated at times there are barriers but working together as one unit, maybe some these barriers can be accomplished by working together which he looks forward to doing.

COUNCILMAN TOMPKINS thanked all the voters, family, friends, fellow council members and the mayor for all their support and help during the election season. He stated that in November the voters expressed their confidence in him and his running mates and now they have a job to do and prove them right. He stated he looks forward to working hard in the coming 4 years.

COUNCILMAN VASOLI congratulated all the new members of Council, Mayor and Tax Collector. He stated he respects anyone who puts him or herself in the ring of local office especially, which is not always easy. He stated that sometimes you have to make decisions that affect your neighbors, decisions that are in the best interest of the Borough. He stated he has already had the pleasure of working with the new members and looks forward to working together.

PRESIDENT ZYGMONT stated he feels privileged to work with a great group of people. He feels that they will be able to accomplish alot for the Borough of Hatboro in the coming years. He stated that they are aware there are a lot of problems; parks, streets, pool, & water. Council is aware of the concerns and they have pledged fiscal responsibility. He stated that Council wants to have the proper treatment of residents and employees. He stated Council cares about the neighborhoods and also the bottom line, taxes. He stated Council needs people to help them; they are accepting letters from residents who may be interested in serving on committees until Friday, January 6, 2006 at

12:00 P.M. He also thanked his family, the voters and all in attendance for their support.

NOMINATION OF CHAIRMAN PRO TEM

President Zygmont stated that this position is for a Council member to run a meeting when the President or Vice President is not in attendance.

PRESIDENT ZYGMONT asked for a MOTION to nominate a Chairman Pro Tem. VICE PRESIDENT LASORSA made a MOTION to nominate Councilperson Guenst. The motion was SECONDED by COUNCILMAN MOLL and was APPROVED by Council unanimously.

DISCUSSION OF SCHEDULE OF MEETING DATES FOR 2006

PRESIDENT ZYGMONT announced that one member of Council has a scheduling conflict for the 4th Monday meeting of each month. COUNCILMAN STRANG stated that his office is open on the 4th Monday of each month and it is his responsibility to staff the office that evening. Councilman Strang stated he was only asking Council to consider changing the Council meeting only not committee meetings. COUNCILPERSON GUENST stated that her schedule has already been established for the 1st quarter of 2006 and this would be a conflict for her. COUNCILMAN TOMPKINS stated he is concerned about the mechanics of changing the meeting with relation to other Borough meetings, in particular the Zoning Hearing Board which meets on the 4th Wednesday, this would make it difficult for Council to vote on Zoning issues if Council meets the week before the Zoning Hearing Board. COUNCILMAN VASOLI asked if there was another night of the week that Council could meet, he thought that another night of the week could be advantageous to residents, possibly Tuesday or Thursday. PRESIDENT ZYGMONT stated that Tuesday and Thursday are not good for him. COUNCILMAN TOMPKINS asked if there was any history to meeting on Mondays and how long has the meetings been on Mondays. COUNCILMAN VASOLI stated that there is nothing in the Borough Code. SOLICITOR MEYER answered that it used to be the 3rd Monday of the month, and the audience raised the issue that the School District met the same night and they wanted to change to another night. VICE PRESIDENT LASORSA stated that for now he could only meet on the 2nd and 4th Monday of each month. PRESIDENT ZYGMONT stated that there is a Committee Meeting on January 9, 2006, he asked the members to look at the availability of the first and third Mondays and to please email each other with this information. COUNCILMAN TOMPKINS stated that we are in conflict with the school board if we meet the first and third Wednesday of each month. PRESIDENT ZYGMONT stated this matter would be placed on the Committee Agenda for further discussion on Monday, January 9, 2006.

OTHER BUSINESS

COUNCILPERSON GUENST made a MOTION to retain Adrian Meyer, Esquire as Borough Solicitor. The motion was SECONDED by COUNCILMAN TOMPKINS and was APPROVED by Council unanimously.

VICE PRESIDENT LASORSA made a MOTION to consider Larry Rappoport, Esquire as Special Labor Attorney. The motion was SECONDED by COUNCILMAN MOLL and was APPROVED by Council with COUNCILMAN VASOLI and STRANG voting no.

COUNCILMAN VASOLI asked that Council consider the interview process by full Council before retaining Mr. Rappoport.

AJOURNMENT

PRESIDENT ZYGMONT stated the January 3, 2006 Council Reorganization meeting was adjourned at 7:30 P.M. PRESIDENT ZYGMONT announced that there were refreshments being served compliments of Aleta Ostrander and Sandy Zygmont.

Respectfully Submitted,

JOSEPH F. PANTANO
Borough Manager

Transcribed by Diane Valesky

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, January 23, 2006

PRESENT

President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Moll, Strang, Tompkins & Vasoli, Mayor Hawkes, Borough Solicitor Meyer, Borough Engineer Dougherty, Fire Marshal Stauch, Chief Gardner, Code Enforcement Officer Heller and Fire Chief Zollers.

ABSENT

CALL TO ORDER

PRESIDENT ZYGMONT called the meeting of the Council of the Borough of Hatboro to order at 7:00 p.m.

INVOCATION

MAYOR HAWKES asked for a moment of silence in remembrance of Police Operations Clerk Edward Horin who passed away on January 13, 2006 after a four month battle with cancer.

MAYOR HAWKES gave the invocation for the January 23, 2006 Council meeting.

MINUTES

PRESIDENT ZYGMONT stated that Council is in receipt of the minutes of the December 19, 2005 Council meeting. COUCILMAN TOMPKINS stated there was one correction needed, in the minutes he was referred to as Councilman and should have been referred to as Resident Bill Tompkins. This motion was SECONDED by COUNCILMAN STRANG and APPROVED by Council unanimously.

PRESIDENT ZYGMONT stated that Council is in receipt of the minutes of the January 3, 2006 Reorganization Meeting Minutes. This motion was SECONDED by COUNCILMAN VASOLI and APPROVED by Council unanimously.

PRESIDENT'S REPORT

PRESIDENT ZYGMONT announced via a prepared statement that at tonight's meeting Council would not be voting to reappoint the Borough Manager. Due to the fact that this a personnel matter which by nature makes it sensitive, Hatboro Borough Council will not at this time be making any further public comment at this time. There was a round of applause from the audience.

BOROUGH MANAGER'S REPORT

PRESIDENT ZYGMONT announced that there would not be a Borough Manager Report this evening.

PRIVILEGE OF THE FLOOR

TREASURER'S REPORT

PAYMENT OF BILLS

PRESIDENT ZYGMONT stated that Council is in receipt of the warrant list and manual check list. COUNCILPERSON GUENST made a MOTION to approve the warrant list and manual check list. COUNCILMAN TOMPKINS asked Chief Gardner about the Moreland Area Response Team dues and how many officers from his department participate in this group. CHIEF GARDNER stated two. CHIEF GARDNER stated the team likes a 20% commitment from the member agencies. CHIEF GARDNER also stated that at one time his department had 4 members on the team. This MOTION was SECONDED by COUNCILMAN STRANG and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR HAWKES wanted to make the residents aware that they may be receiving a letter from the United States Census Bureau. MAYOR HAWKES stated although the head count is done every ten years but the Census Bureau has an ongoing program called the American Communities Survey. MAYOR HAWKES stated that if a resident does receive this letter, the Census Bureau does ask for alot of personnel information, the odds are every one out of 480 people receive the letter and the letter is similar to a notice for jury duty, the recipient is required by law to complete the form and provide the requested information and if the recipient does not respond to the notice the Census Bureau will call after 4 to 6 weeks and failure to respond to a telephone request will warrant a visit to your residence. MAYOR HAWKES stated it is very important if a resident receives this notice to please respond, this information gathered provides useful information that is vital to communities. MAYOR

HAWKES stated that if anyone had any questions he had a brochure that he would be happy to share.

SOLICITOR'S REPORT

SOLICITOR MEYER reported he prepared documentation regarding personnel matters.

SOLICITOR MEYER prepared legal opinions regarding adoption of ordinances and funds collected by the Mayor for officiating at weddings.

CHIEF'S REPORT

CHIEF GARDNER stated he wanted to brief council on some current issues that have been in the works for a while. The first item was the County Mobile Terminal CAD project that has been in the works for a couple of years. CHIEF GARDNER stated at a previous meeting that the County was going to join onto the State System, which is known as Open Sky for mobile data transmission. CHIEF GARDNER stated that since that report he received a newsletter from the Montgomery County Department of Public Safety stating that the State has amended its position to allow outside agencies to go onto the Open Sky mobile data transmission system until at least 2007. CHIEF GARDNER stated that so many changes have occurred with this program and it appears that it is back to square one. CHIEF GARDNER stated the Borough has the funding in place for this project. CHIEF GARDNER stated the County has advised him to go ahead and purchase the laptops that are necessary for this system, but he is reluctant to do so because of all the changes. CHIEF GARDNER stated his recommendation to COUNCIL is until there is something more firmly in place to put this on hold. CHIEF GARDNER stated there is a DCED grant and equipment donation from the Montgomery County District Attorney's office for this equipment. CHIEF GARDNER stated the grant from DCED is set to expire this June, however it can be extended for another year. CHIEF GARDNER also stated that a part of this system that is included with the MDT project is the CAD - Computer Aided Dispatch system, there is a terminal in the station that the department utilizes to print information relevant to calls and other information and it appears that portion of the project is proceeding and should be occurring in March sometime and only requires the purchase of a PC that will connect to the County system but however be separate from the in house computer system for security reasons, enabling the department to utilize the CAD directly from the PC. CHIEF GARDNER stated the money is available for the PC. CHIEF GARDNER stated that he would put a copy of the County Newsletter in the upcoming Council packets for review.

CHIEF GARDNER stated that recently the department hired a new officer as a replacement; Officer Chris Murphy when hired needed bulletproof vest/body armor. CHIEF GARDNER stated there is a Federal Government program where money is made available to the police department to help out with this type of purchase. CHIEF GARDNER stated the bill arrived today for the vest and he will submit 50% of the bill to the Federal Bulletproof Vest Partnership, a program administered through the Department of Justice, who will reimburse local governments 50% of the cost of body armor. CHIEF GARDNER stated the bill was submitted today and is done electronically to the Borough, the cost of the vest was $750.00, half of that cost will be electronically transmitted to the Borough, a email will be sent to the bookkeeper when the funds are transferred.

CHIEF GARDNER stated that he has been working with FIRE MARSHAL STAUCH and FIRE CHIEF ZOLLERS on the implementation by the Federal Government in junction with PEMA the possible implementation of the National Incident Management System, which is a command and control system for first responders and emergency management officials to follow during an emergency. CHIEF GARDNER stated that basically this changes the command structure and also reporting requirements. CHIEF GARDNER stated that in order to receive funding back for natural disasters this system has to be followed. CHIEF GARDNER stated he has yet to receive formal notification of training. CHIEF GARDNER stated that police officers are required to go through training on a yearly basis and part of this years training curriculum is National Incident Management System certification. CHIEF GARDNER stated that by the end of this year all the officers in his department should have this completed and certified by the State and FEMA. COUNCILMAN TOMPKINS asked if there is training available for the fire company. FIRE CHIEF ZOLLERS stated it is available on line, at the fire academy and with basic firefighting classes. FIRE CHIEF ZOLLERS stated that in addition to the funding if the State had to assist the Borough in anyway, the State would expect the Borough to be operating under the parameters of the Nationals Incident Management System, if not they may not be able to render assistance to the Borough. COUNCILMAN VASOLI stated he agrees with both Chief Gardner and Zollers that training is very important. COUNCILMAN VASOLI stated that he has heard that the grant funding is going to be done retrospectively and prospectively looked at, and for instance on applications on homeland bricks and mortar funds and will be very important. COUNCILMAN VASOLI also asked Chief Gardner to please send a letter to DCED with regards to the CAD advising them what is going on and if the Borough could get away without an extension that would be great, COUNCILMAN VASOLI explained that alot of times DCED does not look favorably at future grants if other grants were not done in a timely fashion.

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SUPERINTENDENTS REPORT

SUPERINTENDENT STAUCH submitted a report in advance.

FIRE MARSHALS REPORT

FIRE MARSHAL STAUCH submitted a report in advance.

FIRE MARSHAL STAUCH also reported that he met with the Mayor, Police Chief Gardner and Fire Chief Zollers to review Emergency Management and felt the Mayor was impressed with what the Emergency Management Team has and has accomplished.

FIRE MARSHAL STAUCH reported that he submitted a report to the Borough Manager explaining activities with regards to recent weather. FIRE MARSHAL STAUCH reported that due to high winds and snow recently the fire company and police department responded to a few calls as a result of the weather. FIRE MARSHAL STAUCH also stated that the fire department was called to Holland Glen due to the electricity being out and their generator not working. The Fire Company was able to supply electric to the building without evacuating the building and moving the children out in the cold and snow. FIRE MARSHAL STAUCH stated that the other day we experienced another day of high winds bringing down trees and wires. FIRE MARSHAL STAUCH stated that Mill Road was closed all day and into the night for a pole down with wires. FIRE MARSHAL STAUCH also stated there was a water main break on Horsham Road and that road was closed most of the night. COUNCILPERSON GUENST asked if Borough Public Works employees were out on the Horsham Road water main break. FIRE MARSHAL STAUCH stated the fire police directed traffic for approximately 4 hours and a salt crew did come out. COUNCILPERSON GUENST asked if Aqua could be billed for the Borough's manpower and salt. FIRE MARSHAL STAUCH stated yes, but also stated that there is more of a problem with Horsham Road as a result of this water main break. FIRE MARSHAL STAUCH stated the water got under the roadway and the road now has a washboard effect for approximately 100 feet. FIRE MARSHAL STAUCH stated he just received the paperwork today and will speak with Aqua tomorrow to see who to forward Gilmore's report too. COUNCILMAN TOMPKINS asked how easy Aqua was to deal with based on past experience. FIRE MARSHAL STAUCH stated that he never has had a problem like this one, but has not experienced any other problems. COUNCILPERSON GUENST directed FIRE MARSHAL STAUCH to add the manpower and salt costs to the costs to repair Horsham Road properly.

COUNCIL/COMMITTEE REPORTS
ADMINISTRATION REPORT - MR. ZYGMONT

PRESIDENT ZYGMONT announced that the meeting schedule would be the 2nd and 4th Mondays of each month with the exception of the month of December, which will be held the 2nd, and 3rd Monday of the month. VICE PRESIDENT LASORSA made a MOTION to approve the meeting schedule for 2006. This MOTION was SECONDED by COUNCILPERSON GUENST and APPROVED by Council unanimously

PRESIDENT ZYGMONT made a MOTION to approve the escrow release in the amount of $61,752.14 for Cobblestone Court. This MOTION was SECONDED by COUNCILMAN VASOLI and APPROVED by Council unanimously.

PRESIDENT ZYGMONT announced the appointment of the following individuals on an annual basis at the pleasure of Council, CHIEF OF POLICE JAMES GARDNER, SUPERINTENDENT OF PUBLIC WORKS W. ROBERT STAUCH, TREASURER MARIANNE REYMER, ASSISTANT BOROUGH SECRETARY DIANE VALESKY, ZONING OFFICER JEFFREY HELLER, CODE ENFORCEMENT OFFICER JEFFREY HELLER, BOROUGH ENGINEER GILMORE & ASSOCIATES, FIRE MARSHAL W. ROBERT STAUCH, DEPUTY FIRE MARSHAL ROY THOMAS, ASSISTANT FIRE MARSHAL JOSEPH READING, AND COLLECTION AGENT (EARNED INCOME AND EMS/OPT TAX) BERKHEIMER ASSOCIATES. COUNCILPERSON GUENST made a MOTION to appoint the above employees. This MOTION was SECONDED by COUNCILMAN TOMPKINS and APPROVED by Council unanimously.

PRESIDENT ZYGMONT announced the appointment of the following individuals to the various Boards and Commissions, LIBRARY BOARD B.J. HOWAT, PLANNING COMMISSION PASQUALE BATTAGLIA AND CATHARINE FARNEN, POLICE CIVIL SERVICE COMMISSION, FORMER BOROUGH POLICE OFFICER ROBERT HEGELE AND ALLEN MOSEBACH, VACANCY BOARD MICHAEL OSTRANDER, ZONING HEARING BOARD, JOHN DEMCISAK AND LEEANN JORRET, AND FIRE BOARD, STEVEN GUENST. VICE PRESIDENT LASORSA made a MOTION to appoint the above individuals. This MOTION was SECONDED by COUNCILMAN VASOLI and APPROVED by Council unanimously.

PRESIDENT ZYGMONT announced the appointment of the following individuals to the HATBORO WATER AUTHORITY, SANDRA ZYGMONT AND GEORGE "SKIP" EMIG and UPPER MORELAND HATBORO JOINT SEWER AUTHORITY, JEFFREY PRESTON. VICE PRESIDENT LASORSA made a MOTION to appoint the above individuals. This MOTION was SECONDED by COUNCILPERSON GUENST and APPROVED by Council with PRESIDENT ZYGMONT abstaining.

COUNCILMAN TOMPKINS asked if the terms should be specified. PRESIDENT ZYGMONT stated that the list of appointed Officials, Commissions, Boards and Authorities would be made part of the minutes.

BUDGET & INSURANCE – VICE PRESIDENT LASORSA

VICE PRESIDENT LASORSA announced that after careful review of the proposal to open the 2006 Budget in order to try to lower taxes through the Homestead Exemption Program, it is the recommendation of this committee not to reopen the Budget. VICE PRESIDENT LASORSA stated that through research it was learned that the Borough would have to apply by November 2005 in order to be eligible and also that many homeowners have not registered for the Homestead exemption and have until March 1, 2006 to be eligible. VICE PRESIDENT LASORSA stated he will coordinate with the tax collector to put notification in the tax bills which are mailed on February 1st reminding residents to apply. VICE PRESIDENT LASORSA stated that he would also like to place on Agenda for 2006 to study further the 2006 Rebate and the Emergency Services Tax. COUNCILMAN TOMPKINS asked if the press could put notice in the papers since some residents tax bills go directly to their mortgage companies. TAX COLLECTOR EMIG stated that all tax bills are mailed directly to the homeowner. PRESIDENT ZYGMONT stated that in order to qualify for the Homestead Tax exemption in 2007 the form needs to be filed by the County on or before March 1, 2006.

Ed Henry, 238 Bonair Avenue asked if this was a one time form that needed to be completed. PRESIDENT ZYGMONT stated yes, over 1500 properties have filled out the form and this call to action is for those who have not yet completed the paperwork. COUNCILMAN MOLL stated that form would have been received when ACT 72 was initiated. COUNCILMAN MOLL asked when tax bills would be mailed. TAX COLLECTOR EMIG stated that now that the Budget is not going to be reopened then the bills would be mailed on February 1st. PRESIDENT ZYGMONT stated that a cover letter and form would be sent out again with the tax bills. COUNCILMAN VASOLI stated that residents should be aware that there are no disadvantages to completing this form, only advantages, lower taxes. COUNCILMAN TOMPKINS asked if the form stays with the property. TAX COLLECTOR EMIG stated the form stays with the owner of the property who completed the form, if the property is sold then the new owner must complete a new form.

GRANTS AND EXTERNAL FUNDING –MR. VASOLI

COUNCILMAN VASOLI stated he wanted to update Council on the Open Space Plan. COUNCILMAN VASOLI stated that Mr. Paul Driscoll from the URDC would be at the March Committee meeting to make a presentation.

COUNCILMAN VASOLI stated that he wanted to update Council on the Revitalization Plan. COUNCILMAN VASOLI stated the County has Revitalization funds available and held a seminar recently on the allocation of funds. COUNCILMAN VASOLI stated that this year's allocation for the Borough is $547,000. COUNCILMAN VASOLI stated that this does not mean that if the Borough applies for this money they will receive it; the Borough's match for these funds is 10%. COUNCILMAN VASOLI stated that a decision is needed since the County requires all preliminary applications be received by February 15, 2006. COUNCILMAN VASOLI stated the Borough is limited to three applications. COUNCILMAN VASOLI stated that one decision that is important is the old application for the Wachovia Bank Parking Lot. COUNCILMAN VASOLI stated he thought that the majority of Borough Council preferred not to purchase the lot but to lease instead. COUNCILMAN VASOLI stated that the County Revitalization funds could be used as a match for the Allyson Schwartz Highway Bill money that the Borough has received. COUNCILMAN VASOLI stated this money could be used to beautify the bridge over the Pennypack and decorative traffic lights at York/County Line and York/Newington. COUNCILMAN VASOLI stated that the County allows up to $25,000 for three years, administrative costs/support for a Main Street Manager. PRESIDENT ZYGMONT asked if this was per year. COUNCILMAN VASOLI stated yes per year for a total of $75,000, all of this would total the $547,000. COUNCILMAN VASOLI stated that if Council is in agreement we can proceed with the preliminary application due February 15, 2006 and completed by the Borough Engineer. SUPERINTENDENT STAUCH stated that Newington Drive is Upper Moreland Township's traffic light. COUNCILMAN VASOLI stated he is coordinating discussions with Upper Moreland Township. COUNCILMAN TOMPKINS asked if there would be any higher maintenance costs for this type of light that Upper Moreland Township may be concerned with.

Mrs. Sandy Zygmont, 645 South York Road asked if the County Commissioners decided to take recreation out of the revitalization program. COUNCILMAN VASOLI stated that the funds are very limited as to their use in terms of recreation, it is only Urban Parks, and the County reasoning is because of open space funds. Mrs. Zygmont asked if they were still putting Main Street in and takes Recreation out and the last she heard this was not finalized. COUNCILMAN VASOLI stated that yes Main Street was in and he learned this at a January

meeting. PRESIDENT ZYGMONT asked if under Urban Parks could the Borough submit for pool grant money. COUNCILMAN VASOLI stated not under Revitalization Funds. PRESIDENT ZYGMONT asked if Councilman Vasoli could provide a draft copy of the applications to Council prior to being submitted. COUNCILMAN VASOLI stated yes as soon as it was done.

PARKS AND FACILITIES – MRS. GUENST

COUNCILPERSON GUENST reported that on January 11, 2006 the Borough received a letter from the National Park Service advising that final approval on the pool grant was given. COUNCILPERSON GUENST stated they are currently in the process of preparing a contract and should be sent in the next few weeks and should list when the funds will be dispersed to the Borough. COUNCILPERSON GUENST stated that Wayne Wade of Wade Associates would be contacted for an update of current prices regarding the plan that they previously submitted concerning the pool.

COUNCILPERSON GUENST thanked Public Works Superintendent Stauch for having Miller Meadow mowed; the audience applauded his department and their efforts. COUNCILPERSON GUENST stated that the Meadow looks very beautiful. COUNCILPERSON GUENST announced that in 1951 an ordinance was passed creating a Park Board and in 1974 another ordinance was passed abolishing the Park Board. COUNCILPERSON GUENST announced that the current park board would be meeting to work on a new ordinance and hopes to have this completed around the next meeting. COUNCILPERSON GUENST asked any residents who were interested in serving on this board to please submit a letter of interest.

PUBLIC RELATIONS AND COMMUNITY INFORMATION – DR. STRANG

DR. STRANG reported he had nothing on his agenda this evening. DR. STRANG reported that he has met with the police negotiating team twice over the past 10 days and had good rapport back and forth and plans on updating Council tonight in executive session a tentative agreement with the police.

PUBLIC SAFETY – MAYOR HAWKES

MAYOR HAWKES updated Council on the status of the Sexual Predator Residency Ordinance. MAYOR HAWKES reported that BOROUGH SOLICITOR MEYER has drafted the ordinance for review and CHIEF GARDNER has drawn up a preliminary map indicating the sites that the Borough should be concerned with. MAYOR HAWKES stated while everything was progressing forward the Borough received a letter from the Borough Insurance Carrier stating the Borough should hold of adopting this ordinance until the Commonwealth enacts additional legislation. MAYOR HAWKES stated Council will have to make a decision on

whether to adopt this ordinance or wait for the Commonwealth enacts additional legislation. COUNCILPERSON GUENST asked what kind of time line there would be before the State enacts this legislation. MAYOR HAWKES stated he has no idea, if past practice follows could be awhile. MAYOR HAWKES stated it has been approved in Circuit Court. BOROUGH SOLICITOR MEYER stated that it was approved in the ninth circuit court in Iowa, and then appealed to the Supreme Court of United States and they denied it, a state statue of 2000 feet. BOROUGH SOLICITOR MEYER reported to his knowledge there have been no appeals in Circuit Court. COUNCILPERSON GUENST asked if the draft of the ordinance was ready for Council's review. MAYOR HAWKES stated it has been prepared and will be discussed at the February Committee meeting. PRESIDENT ZYGMONT asked Chief Gardner to provide a copy for Council. CHIEF GARDNER stated he would bring the map to the committee meeting. COUNCILPERSON GUENST asked if the Engineer could certify the map. CHIEF GARDNER stated he feels that the borough Engineer should review this map and certify same. PRESIDENT ZYGMONT asked if the map would be part of the Ordinance. BOROUGH SOLICITOR MEYER stated for purposes of enforcement it should be included and identified with precision. COUNCILMAN MOLL stated that he understands this tentative ordinance basically excludes most of the Borough at the current limit of 2000 feet, which is the issue that can be contested and the Borough labeled exclusionary. COUNCILPERSON GUENST stated she feels that if someone wants to challenge this ordinance then the Borough would have to defend his or her decision. COUNCILMAN MOLL feels strongly that the Borough needs to protect its children and make sure this ordinance is in place but the fact that the Borough is totally exclusionary may lead to a legal challenge. COUNCILMAN TOMPKINS asked that Council consider the number of feet used for distance, 2000 vs. 1900. BOROUGH SOLICITOR MEYER stated he does not have the authority to tell the insurance company or state what to do, however this argument was used by the State of Iowa and the minority said just that and the majority said so be it. COUNCILMAN VASOLI asked if that was the entire State, BOROUGH SOLICITOR MEYER stated yes. Mrs. LeeAnn Jorret, 14 Home Road asked if this ordinance covers public parks also. COUNCILPERSON GUENST asked if any parks on the map were not covered. CHIEF GARDNER stated he believed Parks are not included in the draft ordinance. COUNCILMAN VASOLI wanted to know if this includes bus stops. BOROUGH SOLICITOR MEYER stated his draft follows the State of Iowa's and only includes daycare centers and feels that this is enough. Mr. John Demcisak, 225 E. Moreland Avenue asked if the maps were adopted as part of the ordinance. BOROUGH SOLICITOR MEYER stated it was left up to each community. Mr. Demcisak asked what the local communities are doing. BOROUGH SOLICITOR MEYER stated he did not have the answer and would check other municipalities. CHIEF GARDNER stated that for enforcement purposes it would have to be shown within the exclusionary zone. The map would be updated internally and probably on file in the local District Court. COUNCILMAN VASOLI felt that the map did not have to be made public. Mr.

Demcisak stated that he feels differently, if someone is a predator how would they know, just because the Borough adopted an Ordinance. BOROUGH SOLICTOR MEYER stated that like any other ordinance they are properly advertised and like any other citizen must be adhered to. Mr. Demcisak stated he feels that this notice may not be enough and should include the map. CHIEF GARDNER also stated there are private daycare centers operating in town legally and have been included.

PUBLIC WORKS – MR. MOLL

COUNCILMAN MOLL reported he had one item on his agenda to discuss, the price increase from Gran Turk for the new trash truck, which is on order. COUNCILMAN MOLL stated the price increase is a result of the increase in metal costs, at an amount of $2696. COUNCILMAN MOLL made a MOTION to approve the additional cost for the new trash truck, $2696.00. This MOTION was SECONDED by VICE PRESIDENT LASORSA and APPROVED by Council unanimously.

PRESIDENT ZYGMONT asked Superintendent Stauch if the price increase was due to the increase in metal costs. PUBLIC WORKS FOREMAN THOMAS answered yes. COUNCILPERSON GUENST stated the original increase was over $4000 but PUBLIC WORKS SUPERINTENDENT STAUCH stated that they were able to get the price lowered and if approved tonight there will be no further increases.

ZONING, PLANNING AND HISTORIC PRESERVATION - MR. TOMPKINS

COUNCILMAN TOMPKINS reported he had one item on his agenda, to approve the Sprint Tower Land Development application. COUNCILMAN TOMPKINS made a MOTION to approve this application for a flagpole antenna at 120 East Montgomery Avenue based on the Borough Engineers recommendation to grant preliminary/final approval based on the Engineers Letter dated January 20, 2006 outlining the conditions set forth by the Engineer and attached and also includes the area around the site be restored to its original condition. This MOTION was SECONDED by PRESIDENT ZYGMONT and APPROVED by Council unanimously.

SPECIAL PROJECTS - STORMWATER MANAGEMENT - MR. MOLL

COUNCILMAN MOLL stated that he has nothing on his agenda for this evening. COUNCILMAN MOLL stated that this committee was looking for volunteers who would be willing to volunteer their time on this committee and is asking anyone interested to please contact him.

SPECIAL PROJECTS - ELECTRIC STUDY - VICE PRESIDENT LASORSA

VICE PRESIDENT LASORSA stated that at this time only one person has come forward and expressed an interest in volunteering time for this committee, Mr. John Demcisak. VICE PRESIDENT LASORSA asked for a few more members and if interested to please contact him.

FIRE BOARD REPORT - VICE PRESIDENT LASORSA

VICE PRESIDENT LASORSA stated the fire board would be meeting sometime in February.

MAIN STREET REPORT - MRS. GUENST

COUNCILPERSON GUENST stated she had two items on her agenda, the approval of the Main Street Business Plan and disbursement approval. PRESIDENT ZYGMONT stated that prior discussions stated disbursements would be made in advance quarterly and the schedule would be as follows: begin February 1 and then quarterly thereafter.
COUNCILMAN GUENST made a MOTION to approve the first disbursement of $5000 for February 1, 2006. This MOTION was SECONDED by COUNCILMAN TOMPKINS and APPROVED by Council unanimously.

COUNCILPERSON GUENST stated there is going to be a meeting with the Boy Scouts concerning the Flower Bed Project later this week and a report will be given to Council at the next meeting on the status of this project.

ELM STREET REPORT - MR. VASOLI

COUNCILMAN VASOLI stated that hopefully by next month a draft plan for the latest installment would be ready for presentation to Council.

OLD BUSINESS

There was no old business to come before Council.

NEW BUSINESS

There was no new business to come before Council.

PRIVILEGE OF THE FLOOR

Mr. Ron Battis, 320 W. Moreland Avenue congratulated Council on their excellent progress, all the new nominees and appointments will serve the Borough well.

Mr. Battis asked about the Sprint Tower and if the Building at the base is decent looking. COUNCILMAN TOMPKINS stated it is not a building, just a fenced in yard with a small shed to house the equipment, currently it is a storage area for Public Works equipment. Mr. Battis asked if ads could be placed legally on this tower. COUNCILMAN TOMPKINS stated it is a flagpole and could not be used for that purpose. Mr. Battis stated that the Borough did not ask Sprint how many other companies have used their towers. COUNCILPERSON GUENST stated that no other vendors are using and this can hold up to two. COUNCILMAN TOMPKINS stated it is to the Borough's advantage to have other co-locators on the tower. COUNCILMAN VASOLI stated that it was discussed with Sprint that other companies could co-locate at marketable rates.

Mr. Ed Henry, 238 Bonair Avenue asked if Council has decided where the funds are coming from to pay for the new trash truck. PRESIDENT ZYGMONT stated no, Council has six months to decide.

Mrs. Trisha Wurst, 33 Rorer Avenue asked where Council and the union were with the Public Works issue. PRESIDENT ZYGMONT stated that the Borough Labor Attorney was to be in touch with Counsel for the Teamsters Local 830 last week to set an arrangement to see how forward progress can be made, at this time he has not heard back from the attorney.

CHIEF GARDNER announced that tonight and Thursday at Keith Valley Middle School, Detectives Metheny (Upper Moreland), Becker (Hatboro) and Waeltz (Horsham) at the request of the School District a seminar for parents concerning are our children choosing risky behavior, includes the choking game, drug use and internet safety.

COUNCILMAN MOLL asked the Chief what DCED stood for, Department of Community Economic Development. COUNCILPERSON GUENST asked the Chief if all the officers in the department had bulletproof vests. CHIEF GARDNER stated yes, and several years ago through a DCED grant new body armor was issued. CHIEF GARDNER stated that body armor should be replaced every 5 years. COUNCILPERSON GUENST asked if all officers wore their body armor while working. CHIEF GARDNER replied they try to enforce this and most times the officers do wear the vests.

EXECUTIVE SESSION

PRESIDENT ZYGMONT stated that Council held executive sessions on Monday, January 16, 2006 and Wednesday, January 18, 2006 to conduct interviews of candidates for appointments by Council to the various boards. PRESIDENT ZYGMONT also stated there was an executive session on Friday, January 20, 2006 and Saturday, January 21, 2006 to discuss a personnel matter.

PRESIDENT ZYGMONT stated there would be an executive session immediately following this meeting to discuss a personnel matter.

ADJOURNMENT

PRESIDENT ZYGMONT stated the January 23, 2006 Council Meeting was adjourned at 8:10 P.M.

Respectfully Submitted,

Diane C. Valesky
Assistant Borough Secretary

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, February 27, 2006

PRESENT

President Zygmont, Vice President LaSorsa, Councilpersons Guenst, Moll, Tompkins & Vasoli, Mayor Hawkes, Interim Borough Manager Bateman, Fire Marshal Stauch, Chief Gardner, Code Enforcement Officer Heller, Assistant Secretary Valesky, Fire Chief Zollers, Treasurer Reymer, Borough Solicitor Meyer and Borough Engineer Dougherty.

ABSENT

Councilman Strang

CALL TO ORDER

PRESIDENT ZYGMONT called the meeting of the Council of the Borough of Hatboro to order at 7:00 p.m.

INVOCATION

MAYOR HAWKES gave the invocation for the February 27, 2006 Council meeting.

MINUTES

PRESIDENT ZYGMONT stated that Council is in receipt of the minutes of the January 23, 2006 Council meeting. COUCILPERSON GUENST stated there was two date corrections under Parks & Facilities. COUNCILMAN MOLL stated he had one correction under Public Safety. This motion was SECONDED by COUNCILMAN MOLL and APPROVED by Council unanimously. ASSISTANT SECRETARY VALESKY stated the corrections would be made and minutes redistributed to Council.

PRESIDENT'S REPORT

PRESIDENT ZYGMONT announced that on February 20, 2006 Council held an executive session to discuss the Public Works Contract, Police Contract and conducted interviews of auditing firms for the year 2005.

BOROUGH MANAGER'S REPORT

INTERIM MANAGER BATEMAN stated that he had nothing to report.

PRIVILEGE OF THE FLOOR

TREASURER'S REPORT

TREASURER REYMER reported that the total interest earned in January was $18,394.83, this was for all 14 accounts at Commerce Bank.

PRESIDENT ZYGMONT made a MOTION to approve the Treasurer's Report for the month of January 2006. This MOTION was SECONDED by COUNCILMAN TOMPKINS and approved by Council unanimously.

APPROVAL OF WARRANTS LIST

PRESIDENT ZYGMONT stated that Council is in receipt of the **warrant list and manual check list**. COUNCILPERSON VASOLI made a MOTION to approve the warrant list and manual check list. COUNCILMAN TOMPKINS asked about the invoice for California Contractors, SUPERINTENDENT STAUCH stated this vendor is more cost effective and offers free shipping. COUNCILMAN MOLL asked about the AQUA bill for the pool, SUPERINTENDENT STAUCH stated this bill is monthly regardless if the water is on or not. COUNCILMAN MOLL questioned the Armour & Sons Bill, SUPERINTENDENT STAUCH stated it was for a vehicle accident at York & Montgomery Avenue; this bill will be turned over to the insurance company. COUNCILMAN MOLL questioned the bill for Construction Demolition & Recycling, SUPERINTENDENT STAUCH stated this is for the disposal of materials that cannot be taken to the Trash to Steam plant. COUNCILMAN MOLL inquired as to the number of vendors each month and if the Borough staff could please try to limit the number of vendors used. This MOTION was SECONDED by VICE PRESIDENT LASORSA and APPROVED by Council unanimously.

PAYMENT OF BILLS

COUNCILPERSON GUENST made a MOTION to authorize the payment of bills. This MOTION was SECONDED by VICE PRESIDENT LASORSA and APPROVED by Council unanimously.

MAYOR'S REPORT

MAYOR HAWKES announced a presentation would be made this evening to Mr. Terrance Miller. Mr. Miller was awarded a certificate of recognition and appreciation for his outstanding actions, quick judgment and fearlessness in helping to advert a catastrophe at the Moreland Towers. Mr. Miller dedicated his award to his deceased son Colin Smith who passed away September 11, 2005.

SOLICITOR'S REPORT

SOLICITOR MEYER reported he amended the draft of the Park Board Ordinance.

SOLICITOR MEYER amended the draft of the Mixed Use Ordinance.

SOLICITOR MEYER prepared the advertisement for the adoption of the Sexual Predator Residency Ordinance and prepared a legal opinion with regards to the same ordinance.

SOLICITOR MEYER received notice from attorney to meet with Borough Council concerning a curative amendment matter.

CHIEF'S REPORT

CHIEF GARDNER announced an internet safety program in junction with the Elm Street Program will be held in April or May at the Crooked Billet School possibly and will be for parents to educate them on the internet. CHIEF GARDNER stated that once a date is scheduled he would advise Council.

PRESIDENT ZYGMONT thanked the Police Department, Fire Department and Fire Marshal Stauch for their assistance on February 21, 2006 when a power outage occurred at the Garner House and Moreland Towers for over 12 hours.

SUPERINTENDENTS REPORT

SUPERINTENDENT STAUCH submitted a report in advance.

FIRE MARSHALS REPORT

FIRE MARSHAL STAUCH submitted a report in advance.

COUNCIL/COMMITTEE REPORTS
PUBLIC SAFETY COMMITTEE - MAYOR HAWKES

MAYOR HAWKES announced tonight that the Borough is prepared to adopt the Sexual Predator Residency Ordinance. COUNCILMAN VASOLI stated he is opposed to this ordinance due to the latest draft excluding 98% of the Borough. PRESIDENT ZYGMONT asked Solicitor Meyer if tonight's vote was including just schools and daycares, SOLICITOR MEYER stated yes, he has one ordinance drafted with parks and one without parks. PRESIDENT ZYGMONT stated this ordinance being considered tonight does not include parks. COUNCILMAN MOLL and COUNCILPERSON GUENST stated they would prefer to include parks in the proximity portion, but understand why that is being excluded.

COUNCILPERSON GUENST made a MOTION to approve the Adoption of the Sexual Predator Residency Ordinance No. 964. This MOTION was SECONDED by VICE PRESIDENT LASORSA and APPROVED by Council with COUNCILMAN VASOLI voting no.

MAYOR HAWKES reported that the speed limit signage would be changed along Meadowbrook Road once the Ordinance was amended. SOLICITOR MEYER stated he would have to prepare the documents and advertisement for this change.

SUPERINTENDENT STAUCH stated that he has the proper signs available once the Ordinance is changed.

MAYOR HAWKES asked Chief Gardner to update Council on the School Zone on Jacksonville Road. CHIEF GARDNER stated the school district has begun busing students from the east side of Jacksonville Road. CHIEF GARDNER stated that he has been in contact with the School Crossing Guards for Crooked Billet School and he will monitor this situation and report to Council as needed.

PRESIDENT ZYGMONT asked for more detailed information concerning blinking lights to be forwarded to Council for the March Committee Meeting.

PUBLIC WORKS COMMITTEE – COUNCILMAN MOLL

COUNCILMAN MOLL reported that he has asked Borough Manager Bateman and Superintendent Stauch to gather information for discussion at the next committee meeting concerning Electronics Recycling. COUNCILMAN MOLL stated that once this information is finalized then it will be presented to Council for discussion and implementation.

ZONING, PLANNING and HISTORIC PRESERVATION COMMITTEE – MR. TOMPKINS

COUNCILMAN TOMPKINS made a MOTION to deny the application for a subdivision at 5 Crooked Billet Road based the failure to abide by Section 406.312 and the Borough Engineers Letter dated October 14, 2005. This MOTION was SECONDED by COUNCILMAN VASOLI and APPROVED by Council unanimously.

COUNCILMAN TOMPKINS updated Council on the Stoveworks Conditional Use application. The application has not been received as of this date and in order for the engineer to have sufficient time for review the application must be in Borough Hall by Wednesday, March 1, 2006.

COUNCILMAN TOMPKINS advised Council that they should be in receipt of information concerning the County Comprehensive Plan and will be discussed at the March Committee Meeting. There are 8 volumes of information that needs to be reviewed and the timeline from the County for review is tight.

GRANTS and EXTERNAL FUNDING COMMITTEE - MR. VASOLI

COUNCILMAN VASOLI stated the Borough submitted the preliminary documents for the County Revitalization Grant and should be receiving more information by the March Committee Meeting.

COUNCILMAN VASOLI stated that the Pennypack Science Fair would be held this Saturday, March 4, 2006 from 9:00 to 12:00 P.M. The Borough will have a recycling information booth set up with information concerning Borough recycling programs.

PARKS and FACILITIES COMMITTEE - MRS. GUENST

COUNCILPERSON GUENST updated Council on the status of the Pool Contract. COUNCILPERSON GUENST stated that it appears an outside vendor would probably be contracted this year for the operation of the snack stand in order to offer the members a more extensive menu. COUNCILPERSON GUENST stated a decision has not been made yet as to the management of the pool.

COUNCILPERSON GUENST updated Council on the status of the Park Board Ordinance. COUNCILPERSON GUENST stated the Parks Board Committee would like to revisit this Ordinance and should have more information available to Council in April. COUNCILPERSON GUENST stated that Park Board is still looking for volunteers.

COUNCILPERSON GUENST updated Council on the Wayne Wade Assessment for the pool. COUNCILPERSON GUENST stated that Mr. Wade did the original assessment in 1998 and he is in the process of updating the assessment to the 2006 prices. COUNCILPERSON GUENST stated it is projected to start pool renovations in fall 2006 for the summer 2007 season.

BUDGET and INSURANCE COMMITTEE - VICE PRESIDENT LASORSA

VICE PRESIDENT LASORSA made a MOTION to appoint the firm Lopez, Teodosio & Larkin as the 2005 Auditor. This motion was SECONDED by COUNCILPERSON GUENST and APPROVED by Council unanimously.

PUBLIC RELATIONS and COMMUNITY INFORMATION COMMITTEE - COUNCILMAN STRANG

PRESIDENT ZYGMONT announced that Dr. Strang was absent tonight due to a prior commitment and there would be no report of this committee at this time.

ADMINISTRATION COMMITTEE - PRESIDENT ZYGMONT

VICE PRESIDENT LASORSA made a MOTION to approve the services of Keystone Municipal Services for the Borough Manager Search and Interim Borough Manager services. This motion was SECONDED by COUNCILMAN TOMPKINS and APPROVED by Council unanimously.

PRESIDENT ZYGMONT stated that on this months warrant list was the contribution to Meals on Wheels.

PRESIDENT ZYGMONT stated the engineering bills for the Southern Gateway Project need to be sent to the Authority for payment. COUNCILPERSON GUENST made a MOTION to authorize the submittal of Engineering Bills in the amount of $6530.00 for the Southern Gateway Project to the Borough Authority for payment. This motion was SECONDED by VICE PRESIDENT LASORSA and APPROVED by Council unanimously.

SPECIAL PROJECTS - STORM WATER MANAGEMENT COMMITTEE - MR. MOLL

COUNCILMAN MOLL stated on February 23, 2006 he along with Councilperson Guenst

and Superintendent Stauch attended a workshop at Whitpain Township. COUNCILMAN MOLL stated the workshop was informative and they brought back information to the Borough which will be displayed in the hallway at Borough Hall and also added to the Borough website.

OLD BUSINESS

There was no old business to come before Council.

NEW BUSINESS

PRESIDENT ZYGMONT stated that an email was sent to all Council members concerning the County Revitalization Grant applications. COUNCILMAN VASOLI made a MOTION to grant Engineer's fees to file the applications, preliminary applications filed February 15, 2005 and final application is due April 1, 2006. This motion was SECONDED by COUNCILPERSON GUENST and APPROVED by Council unanimously.

PRIVILEGE OF THE FLOOR

Mr. Bruce Hart, 175 Earl Lane. Mr. Hart asked about the status of discussion concerning the new standards for traffic light installation. Mr. Hart stated that Warminster Township is already digging the holes for their traffic lights and Hatboro needs to think about York Road and County Line Road. COUNCILMAN VASOLI stated he has been in contact with the traffic engineer from Gilmore.

Mr. Mickey Glantz directed his question to Councilman Vasoli, he asked if Councilman Vasoli was voting against the Sexual Predator Residency Ordinance as a lawyer or a Councilman representing the community. COUNCILMAN VASOLI stated it is exclusionary as drafted presently and does not include parks. SOLICITOR MEYER stated that the ordinance adopted tonight follows the State Statue of Iowa carefully. SOLICITOR MEYER checked with the Borough Insurance Carrier and found the Borough's insurance will not change whether this ordinance was adopted or not. SOLICITOR MEYER believes this ordinance would withstand a constitutional challenge. Mr. Glantz stated there has always been chocolate and vanilla on the Hatboro Council but something as important as this law there should be 100% unity.

EXECUTIVE SESSION

PRESIDENT ZYGMONT stated that there would be no executive session after tonight's

meeting.

ADJOURNMENT

PRESIDENT ZYGMONT stated the February 27, 2006 Council Meeting was adjourned at 7:55 P.M.

Respectfully Submitted,

Diane C. Valesky
Assistant Borough Secretary

TO LOCK
PERMANENTLY
Push down spur
with a blunt
instrument